

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM STEDMAN GREENE, a Representative from the State of Massachusetts.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. BUTLER. Mr. President, I offer the resolution which I send to the desk, and ask unanimous consent that it may be immediately considered.

The resolution (S. Res. 276) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM STEDMAN GREENE, late a Representative from the State of Massachusetts.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. BUTLER. Mr. President, as a further mark of respect to the memory of the deceased Representatives, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously made, to Monday, December 8, 1924, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, December 5, 1924

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father and our God, as we wait in the solemnity of this moment do Thou hear our prayer. Unto Thee we look at day dawn and find our rest at evening time. Persuade us that the abiding realities of moral and spiritual being are found in a godly life. Do Thou sustain us in every effort to make a better world and to bring good cheer to mortal beings. Assure us of Thy presence, of the comfort of Thy care, and the blessing of Thy forgiveness. By calm and fortified understanding may we serve our country and help our fellow man. Consider, O Lord, and let the light of Thy wisdom fall upon the pathways of our duty. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 71) entitled "An act authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims," disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon and had appointed Mr. HARRELD, Mr. CURTIS, and Mr. KENDRICK as the conferees on the part of the Senate.

The message also informed the House of Representatives pursuant to the provisions of House Concurrent Resolution 30 the President pro tempore had appointed the following Senators as members of the committee on the part of the Senate to arrange for the joint meeting of Congress in commemoration of the life, character, and public service of the late President Wilson: Mr. SWANSON, chairman; Mr. FERNALD, Mr. KEYES, Mr. COUZENS, and Mr. PITTMAN.

LEAVE OF ABSENCE

By unanimous consent, Mr. ROGERS of Massachusetts (on request of Mr. FROTHINGHAM) was granted indefinite leave of absence, on account of illness.

DEPARTMENT OF INTERIOR APPROPRIATION BILL

Mr. LONGWORTH. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SANDERS of Indiana in the chair.

The Clerk read as follows:

For salaries and expenses of such attorneys and other employees as the Secretary of the Interior may, in his discretion, deem necessary in probate matters affecting restricted allottees or their heirs in the Five Civilized Tribes and in the several tribes of the Quapaw Agency, and for the costs and other necessary expenses incident to suits instituted or conducted by such attorneys, \$40,000: *Provided*, That no part of this appropriation shall be available for the payment of attorneys or other employees unless appointed after a competitive examination by the Civil Service Commission and from an eligible list furnished by such commission.

Mr. HOWARD of Oklahoma. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, this Congress is right now engaged in appropriating a lot of money for the benefit of the Bureau of Indian Affairs, based principally on a report made by the officers of that bureau. After having lived amongst the Indians since 1889, it is my opinion that there is more money wasted and more sins committed in public matters in the name of the Indian than in the name of any other parties with which this Congress has to do, except, possibly, it be in the name of the farmers. I think there is a little information due the Congress from the Bureau of Indian Affairs as to some discrepancies that exist and to which I want to call attention.

I note, Mr. Chairman, that in the report of the chairman of the subcommittee to this House one day this week, in a table, compiled evidently from a report made by the Bureau of Indian Affairs—that report being on page 83 of the CONGRESSIONAL RECORD of December 3, 1924—that according to it there are now in the State of Oklahoma 117,364 Indians. Now, Mr. Chairman, I note also from volume 3, page 829, of the census of 1920, that according to the census of the United States compiled by the Census Bureau there were in the State of Oklahoma, as shown by that census, only 57,337 Indians, as compared with 117,000 reported to this Congress by the Bureau of Indian Affairs. I think this Congress, when it is making appropriations for the purpose of caring for the Indian Bureau, should have some information as to just how many Indians are being cared for. The facts are, Mr. Chairman, that the Indian Bureau, including the Muskogee office of the Five Civilized Tribes, so far as the Muskogee office is concerned, is, as a matter of fact, caring for the business of only 16,859 Indians, that being the number of restricted Indians that are on the rolls of the Five Civilized Tribes. And yet, in my opinion, for the purpose of enlarging their appropriations and for the purpose of carrying on the rolls a larger number of employees than is actually needed either in the department here in Washington or at Muskogee, they have never stricken from the rolls of the Five Civilized Tribes an Indian since those rolls were made up, and Congress by that is led to believe that this bureau is caring for the business of 117,000 Indians, when, as a matter of fact, they are caring for the business of only 16,859 Indians, the majority of whose property is in value limited and probably the amount they expend in caring for the Indians' property is three or four times what it would bring in average interest if it were drawing interest.

I want to say to the Congress that I think we are entitled to a report. I want to express the opinion here, further, that this condition as to statistics from the Bureau of Indian Affairs is presented to this Congress for the purpose of, and is responsible for, unnecessary expense to the people of the United States and the employment of unnecessary help in the Indian Bureau in Washington and in the city of Muskogee. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

INDIAN LANDS

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the act of February 8, 1887 (24 Stat. L. p. 388), entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey or allotment of Indian lands, \$50,000, reimbursable: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Mr. HILL of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HILL of Washington: On page 20, between lines 17 and 18, insert: "For payment of certain local taxes to the

counties of Stevens and Ferry, in the State of Washington, on allotted Colville Indian lands, as provided by the act of June 7, 1924, \$91,470.33."

Mr. CRAMTON. Mr. Chairman, I reserve a point of order against the amendment. I will say, in order to save time and dispose of the point of order, that I note the gentleman has cut the amount some \$25,000 or \$26,000 from what was estimated by the Budget. I would assume he is deducting the amount that has been paid as tuition for Indian children in the schools of those counties.

Mr. HILL of Washington. Will the gentleman yield?

Mr. CRAMTON. Yes. I am asking that of the gentleman.

Mr. HILL of Washington. Yes. I take from the chairman's speech on Wednesday of this week the figures included there, as given him by the Bureau of Indian Affairs, as being the amount of tuition paid to these counties, Ferry and Stevens, respectively, and I have deducted the total of those two items.

Mr. CRAMTON. Has the gentleman information as to whether the other condition precedent of the act of 1924 has also been complied with? Has it been determined that the rate of tax that would be accomplished by this payment to those counties is no higher than similar property in white ownership is now paying and has paid?

Mr. HILL of Washington. I will say to the gentleman that in the hearings before the subcommittee there were submitted unofficially made-up tax rolls to embrace the allotted lands in these two counties involved in that particular bill, employing the same rates as the official rates of tax levy for the years covered in the claims. This was made in the respective counties and based on valuations of lands in the same localities and of similar character to the allotted lands, and I want to refer the gentleman further to a statement included in the report of the inspector who made the investigation in the field and reported back the result of his investigation to the Secretary of the Interior in the following language:

The sources of evidence used by me indicated that the amounts placed upon the Indian lands are just if the assessments against the white lands are just.

I will say to the gentleman that when the committee that heard this matter, the subcommittee of the Committee on Indian Affairs, at the last session of Congress, when the bill to authorize this payment was under consideration, was holding hearings thereon these documents were submitted to the subcommittee for inspection—that is, the official tax rates were taken and the values were placed on a parity with similar lands in the localities where the allotted lands were situated.

Mr. CRAMTON. Mr. Chairman, I will make the point of order in the interest of economy of time, and the point of order is this: There is no law authorizing the expenditure that is proposed in the amendment offered by the gentleman from Washington except the act of June 7, 1924. The act of June 7, 1924, provides:

That the Secretary of the Interior be, and he is hereby, authorized and directed to make certain payments: *Provided*, That there may be deducted from said amounts by the Secretary of the Interior such sum or sums as he may find have been paid to said counties for Indian tuition; also the excess, if any, after the rate based on the value of Indian allotments may be found to be in excess of the rate on taxable lands.

The statute governing this matter does not authorize, necessarily, the appropriation of \$115,000. It contemplates a reduction of that amount by two items; first, the amount of Indian-school tuition heretofore paid in those counties and, second, deduction of any excess involved in a higher rate of taxes being applied to these Indian lands than to similar white lands. The hearings disclose the fact that the Secretary of the Interior has not since June or since this law became effective made any examination of the question as to the tax rates. As to the matter of the payment of tuition, the records are in his office, and as I understand it is covered by the deduction that the gentleman from Washington has made, and I do not raise any question as to that; but as to the tax rates, an obligation is placed on the Secretary to make that investigation. The investigation has not been made by the Secretary under the statute. The only appropriation we are authorized to make is an appropriation subject to such reduction as the Secretary of the Interior would find necessary under that provision of the act of 1924, but the amendment before us proposes a flat appropriation of some \$90,000 and disregards that provision of the statute.

Mr. WINGO. Will the gentleman yield for a question?

Mr. CRAMTON. In a moment. I want to make this one suggestion first: If the gentleman desires to include authority to the Secretary to do as the act of 1924 authorized, then I do not think it would be subject to a point of order, and I would not desire to make a point of order.

Mr. HILL of Washington. I will be very glad to have that inserted; in fact, that was my understanding of the authority already given by the act of 1924.

Mr. CRAMTON. Yes; the authority is given by the act of 1924, but not preserved in the gentleman's amendment. The gentleman's amendment disposes of that matter. If the gentleman desires to add a proviso providing that the Secretary of the Interior shall deduct from such payment such excess, if any, as shall result from the rate based on the value of the Indian allotments above the rate based on taxable land, such an amendment would not be subject to a point of order, and I have no desire to be overtechnical or prevent the gentleman having a hearing.

Mr. HILL of Washington. I will be very glad to ask for a modification of the amendment in order to embrace that.

Mr. CRAMTON. Then, Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. Does the gentleman from Washington desire to modify his amendment?

Mr. HILL of Washington. Yes, Mr. Chairman, I desire to modify my amendment to embrace the proviso in the language suggested by the chairman of the committee.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to modify his amendment in the manner indicated, and without objection the amendment will be made and the clerk will report the amendment as modified.

There was no objection.

Mr. WINGO. Will the gentleman from Michigan yield for a suggestion?

Mr. CRAMTON. Certainly.

Mr. WINGO. May I direct the gentleman's attention to the fact that the reference to the act in the amendment in question says "as provided by that act"? I suggest instead of having a proviso, if after the figures "91,000" there is inserted "or so much thereof as may be necessary," you will have your limitation beyond any question. The gentleman's amendment does not say "as authorized by," but "as provided by."

Mr. CRAMTON. I am not sure how it would be construed if the gentleman's amendment put that in as a reference to the authorization for the appropriation. I am not sure it would be construed to carry with it the restrictions of the original provision. I am sure that this would reach the matter.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. HILL of Washington: On page 20, between lines 17 and 18, insert:

"For payment of certain local taxes to the counties of Stevens and Ferry, in the State of Washington, on allotted Colville Indian lands, as provided by the act of June 7, 1924, \$91,470.33: *Provided*, That from such sum the Secretary of the Interior shall deduct an amount to equal the excess, if any, in the rate based on the value of Indian allotments as compared with the rate on taxable lands."

Mr. HILL of Washington. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. HILL of Washington. Mr. Chairman, I want to direct my remarks to certain specific objections made by the chairman of the committee in his speech before the House on Wednesday of this week touching the particular item involved in the amendment I have offered. I want to refer first to this language in the remarks of the chairman of the subcommittee. After quoting section 2 in the act of July 1, 1892, which provides, among other things, that the Secretary of the Interior from time to time shall pay out of the special fund created by that act moneys for the maintenance of schools for such Indians and for the payment of such local taxation as may be properly applied to the land allotted to such Indians as he shall think fit, so long as such allotted land will be held in trust and exempt from taxation, and so forth.

Then the chairman proceeds with this language:

That is to say, it authorized these payments in lieu of taxes from the tribal fund if sufficient was available.

Now, I want to call the attention of the committee to the fact that the special fund referred to is not a tribal fund, and was never considered a tribal fund by the Congress. That the act of 1892 did not recognize in the Indians on the Colville Reservation any right, title, or interest in the lands restored by that act to the public domain or the land still occupied by them in that reservation. That provision will be found in section 8 of the act of July 1, 1892, and section 8 reads as follows:

That nothing herein contained shall be construed as recognizing title or ownership of said Indians to any part of the said Colville Reservation, whether that hereby restored to the public domain or that still reserved by the Government for their use and occupancy.

As a matter of fact, they did not follow the report of the commission which had negotiated the agreement with the Colville Indians. They ignored the agreement and did not comply with any of its terms, but simply restored the land of the Colville Indians in the north half to the public domain without any agreement or recognizing any right of the Indians in the lands restored or to the moneys realized from sales of the lands so restored as a tribal fund.

Now, I want to call the attention of the committee in that connection to section 2 of the act of July 1, 1892, a part of which is as follows:

That the net proceeds arising from the sale and disposition of the land to be so opened to entry and settlement shall be set apart in the Treasury of the United States for the time being, but subject to such future appropriation for public use as Congress may make, and that until so otherwise appropriated may be subject to expenditure by the Secretary of the Interior from time to time in such amount as he shall deem best in the building of schoolhouses, the maintenance of schools for such Indians, for the payment of such part of the local taxation as may be properly applied to the land allotted to such Indians as he shall think fit so long as such allotted land shall be held in trust and exempt from taxation—

And so forth.

If this was a tribal fund, then the Government of the United States would not have authority to appropriate that money to other public uses. In other words, it would have no authority to appropriate it to be used for any purpose other than for the benefit of the Indians; it would have authority only to hold it in a special fund for the benefit of the Indians and for appropriations in their interest. But authority is given to appropriate the money for public use such as Congress may thereafter determine, and hence it could not be a tribal fund.

Now, I want to refer in that connection to a statement contained in a decision by the Comptroller of the Treasury found in 21, Decisions of the Comptroller of the Treasury, page 765, as follows:

The report herein referred to is the report of this commission which negotiated the agreement with the Indians. The decision stated:

The record indicates that after holding the report about six months Congress took—

The word "took" is italicized—

by the said act of July 1, 1892, without consideration or compensation to the Indians what the previous Congress had sought to secure by cession from the Indians through agreement, ignoring both the substance and fact of the agreement, except in so far as it seemed expedient to copy in part without credit the diction of the agreement in the statute enacted.

In 1906, June 21, 15 years after the report of the commission was submitted, Congress passed an act which complied in part with that agreement and provided for the payment of one and one-half million dollars to the Colville Indians for one and one-half million acres of land in that north half.

Not until that time was the agreement entered into with the Indians by this commission recognized by Congress, and only through that act was any money paid to the Indians as tribal money for lands situated in the north half of the Colville Reservation. This special fund was created, and it was the money of the Government of the United States, but the act of Congress provided that out of that Government money in this special fund there should be paid or might be paid, as the Secretary of the Interior saw fit, money for the building of schoolhouses and the maintenance of schools for the Indians, and for the payment of such part of local taxation on Indian allotments as might be properly applicable thereto; but it was Government money all of the time, it was not tribal funds. This special fund stood, according to the terms of the act, until Congress should dissipate the fund or find other uses for it through an act of Congress, and no act of Congress has ever

been passed dissipating or taking the money out of that special fund or discontinuing that special fund. Hence that special fund still stands as a matter of law, although as a matter of fact in January, 1915, under a decision of the Comptroller of the Currency, through a matter of bookkeeping in the Treasury Department, I take it, this fund was discontinued on the books and was either covered into the General Treasury or perhaps placed in the reclamation fund. I am not advised as to which of those two things happened, but so far as any act of Congress is concerned that special fund still stands.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HILL of Washington. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL of Washington. It is disclosed in that official document that the moneys accruing to this special fund from July 1, 1892, to June 21, 1906, amounted to \$123,017.66, and that the moneys accruing to this special fund from June 21, 1906, to January 31, 1915, amounted to \$271,661.12, or a total to January 31, 1915, of \$394,678.78. Under the act of 1906 the Congress authorized the payment to the Colville Indians of the sum of one and a half million dollars in payment for the one and a half million acres of land which had been restored to the public domain in that reservation, and the Indians were charged with the amount of this special fund, \$271,661.12, or that amount was deducted from the \$1,500,000, or at least was so recommended by the Comptroller of the Treasury in his decision; so that that amount was restored to the special fund, and should at this time stand in that special fund, because that special fund has never been discontinued. They restored to that special fund out of this \$1,500,000 the amount of money that had accrued to the special fund from June 21, 1906, to January 31, 1915, when, as a matter of bookkeeping, the special fund as a separate item was discontinued; so that there should be in that special fund as Government money, not as Indian money, \$271,661.12, at least, because that much of the money accruing to that special fund has never been either otherwise appropriated or paid out to the Indians, and there is ample money in this special fund to pay the amount of the claims we are presenting now through this amendment which we offer.

I call attention again to the fact that this is not tribal money. If the committee is making any point on the fact that it is tribal money out of which this claim should be paid, I claim that was not in contemplation when the act was passed; that there was no tribal money provided by the act of July 1, 1892, and there never has been any tribal money placed in that fund, but that this money was to be paid out of the fund which belonged to the Government of the United States at all times, and I contend that the proposition that it should be paid out of the tribal fund is not well taken.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. CRAMTON. Mr. Chairman and gentlemen of the committee, I have no desire to resort to any technical objection to this item, because the matters of Indian tuition and the rate of taxation are minor matters; but there is involved in this amendment offered by the gentleman from Washington [Mr. HILL] a very large proposition. Whatever merit there may be in his contention should be reached in an entirely different way. If there is merit in his contention, it should be worked out in a different way. The proposition as it is now presented means not a matter of \$90,000 but several million dollars, if the precedent which would be established by the adoption of this amendment should be followed logically in other cases.

The situation is this: These Indians had some lands. The land was sold and a fund was created, and the act of 1892, which the act of 1924 is supposed to be carrying out, contains a provision which I shall directly call to your attention. The gentleman from Washington intimates that the act of 1892 did not intend this money to be taken from tribal funds. Please note that the act of 1892 provides that these moneys so received from the sale of the lands should be—

Sec. 2. * * * set apart in the Treasury of the United States for the time being, but subject to such future appropriation for public use as Congress may make, and that until so otherwise appropriated may be subject to expenditure by the Secretary of the Interior from time to time, in such amounts as he shall deem best, in the building of schoolhouses, the maintenance of schools for such Indians, for the payment of such part of the local taxation as may be properly

applied to the lands allotted to such Indians as he shall think fit, so long as such allotted lands shall be held in trust and exempt from taxation, and in such other ways as he may deem proper for the promotion of education, civilization, and self-support among said Indians.

That act of 1892 authorized those funds of the Indians to be paid for the benefit of the Indians, and also for payments in lieu of taxes, and we are not protesting against that use of the money of the Indians. The proposition before us is to take the \$90,000, not out of the Indian funds but out of the Treasury of the United States. The gentleman from Oklahoma [Mr. CARTER] probably knows more about Indian affairs than any other man in this country, and he fully indorses my statement. I think the gentleman from New York [Mr. SNYDER], the chairman of the Committee on Indian Affairs, will also indorse my statement.

I think that every man here who is at all familiar with conditions in the West will indorse my statement to this effect: That if you once start in taking money out of the Federal Treasury to make payment in lieu of taxes where Indian lands are held exempt from taxation in counties and States—if you once start on that program and carry it out logically without partiality, it will cost us millions of dollars. It is an important matter that is before you now. What I am protesting against is making any such precedent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. I shall ask for five additional minutes. And I will ask to be allowed to proceed without interruption in order that I will not take up too much time.

Mr. McKEOWN. Did the money pass—

Mr. CRAMTON. I am going to talk about that. I read the speech of the gentleman from Washington in the RECORD the other day, and I heard his remarks just now. But my friend from Washington is under a misapprehension as to the facts of the case. He said:

It is set apart in this special fund for the use to which I have referred. It is to stay in that fund until Congress shall otherwise appropriate it. There was accumulated in that fund from 1900, when the Indian reservation was opened by proclamation of the President, until some time about the year 1915, a little less than \$400,000. A part of that money was spent in building schoolhouses and maintaining schools for Indians, and no part was spent for local taxation or for the building of roads or any improvements that went to the civilization of these Indians. It stayed in that fund, and Congress never appropriated it for any other purpose, but the Comptroller of the Treasury, without any act of Congress, covered it into the General Treasury of the United States, and it went into the reclamation fund.

Now, I phoned the Indian Commissioner, calling attention to the statement, and I have this letter from him, which came to me as I came on the floor this noon. Now, please note:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington.

MY DEAR MR. CRAMTON: In response to your informal inquiry regarding the receipt and disposal of funds involving the north half of the Colville Indian Reservation in the State of Washington, the records of the office show that from the total sum of \$1,500,000, appropriated by Congress to pay the Indians in full for 1,500,000 acres of land, a per capita payment of \$500 was made to the Colville Indians approximating \$1,134,000—

That went directly to the Indians—

the sum of \$60,000 was paid on account of attorneys' fees and the remainder, except a balance of \$9,240.92, now to the credit of the Indians in the Treasury was expended for the benefit of the Indians in accordance with the terms of the appropriation act.

A million and a half dollars was turned over to them, and has gone to their benefit directly, except \$9,000, and now the gentleman's contention arose from this other proposition—but the letter further says:

Under a decision rendered by the Comptroller of the Treasury dated April 27, 1915, copy herewith, it was held that the proceeds of land sold prior to the act of June 21, 1906 (34 Stats. 377), belonged to the Indians and all proceeds of lands disposed of subsequent to the act of June 21, 1906, belonged exclusively to the United States and not to the Indians; consequently, all such proceeds were covered into the Treasury as miscellaneous receipts.

That is to say, sales before a certain act went to the benefit of the Indians, and sales after a certain act went to the benefit of the Treasury.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CRAMTON. I will ask to proceed for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Mr. Chairman, I want to make this point clear, that the gentleman's amendment proposes to take money out of the Treasury for the payment of these taxes, and that we must absolutely resist or we start upon a very ruinous course. Any merit there is in the gentleman's proposition, and I am not prepared to say there is much or little, is involved in the question of whether land sold after June 21, 1906, or rather the proceeds from that land should have gone into the Treasury or to the benefit of the Indians. Now, the way to settle that question is to settle it. It is not to have mere dribbles out of the Treasury to pay taxes and establish this undesirable precedent. The thing to do is to have an act of Congress correcting any mistake that was made in the disposition of these funds from lands sold after 1906.

Now, it has come to me just as I was coming on the floor, and I have not had a chance to study it. I do not know whether the covering of this fund into the Treasury after 1906 was right or not, but I wish the gentleman from Washington, instead of starting in to take mere dribbles out of the Treasury, would introduce a bill to have the subject brought to a focus and pass upon the whole matter.

Mr. McKEOWN. Will the gentleman yield?

Mr. CRAMTON. I will.

Mr. McKEOWN. The gentleman talks about precedent. Can the gentleman say whether or not the United States Government paid Jersey City, N. J., money to recompense the city for the taxes on the German-American docks taken from them?

Mr. CRAMTON. I hope the gentleman will not attempt to fight the war all over or anything else. If it is any satisfaction to the gentleman, I will say I do not know.

Mr. HILL of Washington. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. HILL of Washington. The gentleman states that he has not had time to read the decision of the comptroller. I just want to direct my question to the statement contained in the letter there to the effect that the proceeds accruing from this fund prior to June 21, 1906, belong to the Indians, those accruing subsequent to that time belong to the Government. I read that statement recently, and I read it several times recently, and I very respectfully submit that that is a conclusion, in my judgment, which is not borne out by the facts.

Mr. CRAMTON. Let me suggest to the gentleman from Washington this: The gentleman contends that his justification is in some diversion of the funds into the General Treasury that should have been retained as a special gratuity for the Indians. Now, is not the thing to do, instead of starting in to make an appropriation directly out of the Treasury, as the gentleman's amendment does, to bring a bill before consideration of the Committee on Indian Affairs for the determination of the question as to whether one or two or three million dollars has been diverted? After establishing the fact that there has been a diversion and that you have that fund then a conclusion can be arrived at.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. CARTER. The gentleman speaks of this being determined through the jurisdiction of the court. Is that the way it is to be determined?

Mr. CRAMTON. Either through the court or through the Committee on Indian Affairs. In any event, it should receive careful consideration. Let me illustrate. The gentleman from Washington is probably familiar with it. He reads the opinion and gets one view of it. The Commissioner of Indian Affairs is also familiar with it, and he gives a different opinion. Is the House ready here to inferentially and indirectly pass upon the claim of these Indians for two or three million dollars, not to speak of disposing of this as a precedent?

Mr. HILL of Washington. My contention is that that was a special fund created by the act of 1892, and the only way it can be done away with is through an act of Congress such as this.

Mr. CRAMTON. But the statement of the bureau was that one million and a half was all that was due to the Indians under the act of 1892, and all of that except \$9,000 had been spent for their benefit.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word.

Mr. SUMMERS of Washington. Mr. Chairman, this seems to be a very complicated situation for us to pass upon here on the floor of the House, but I want to call your attention to the fact that this has been before the Committee on Indian Affairs of the Senate several times in the last few years. It has been passed upon favorably by the Indian Committee in the Senate, and twice passed the Senate, and has been passed upon favorably by the Indian Committee of the House. It was then submitted to the Congress, and was passed by this House, and passed by the Senate, and signed by the President. It has been three times approved, or rather it has been approved by three different Secretaries of the Interior, and has been passed by the Director of the Budget.

I would like to know if, at this stage of the game, we are going to undertake to say that none of them understood the situation, and that we should reverse the action and the judgment of all of them at this time? I think we are too far along with this thing to undertake that in this sort of way here in the House.

Mr. CRAMTON. An illustration of that sort of situation is given by the letter of the Secretary of the Interior of April 5 last, presented in the Indian Committee report, when he says that the claim is based on the act of 1892. Did not that act require payment out of the tribal funds, whereas the act of 1924 approved required the payment out of the Treasury?

Mr. SUMMERS of Washington. Bringing up questions here that have been passed upon repeatedly by deliberative committees and asking us to reverse all of them at this time seems to me very inadvisable. I admit that sometimes things slip by the attention of a committee and points are overlooked. But does it seem probable that three different Secretaries of the Interior would be mistaken about this, that the House Indian Affairs Committee would be mistaken, and the Senate Committee on Indian Affairs would be twice mistaken, and that it would be passed by the Senate and by both branches of Congress, and then slip past the Director of the Budget, that iron man down there, you know, who does not pay attention to anything except to hold down appropriations?

I am very much in favor of the amendment. I think the amendment offered by my friend from the State of Washington is entirely fair. He is willing to eliminate all that has been paid in the way of tuition. He puts a further limitation on, as provided in the legislation passed here last spring, at the last session of Congress. All of that is put into his amendment, and I believe the amendment should be adopted by the House.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. CARTER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. CARTER. As I understand this situation, an act of Congress was passed providing for the ceding or sale of the north half of the Colville Reservation in the State of Washington, the proceeds to be used for certain purposes specified in the act. Any part of the sum could be used for either of those purposes, and all the sum could be used for either of the purposes under the language.

Now, the only question, as I understand it, for us to determine here is whether or not all that money has been used for either one of these three purposes. If it has not been used, then certainly it may be used for taxes. It could be legally used for taxes. It would be appropriate to use it for taxes. It would be just to the Indians and to all parties concerned to use it for taxes. But if that money has been consumed for either one of the purposes specified, then certainly we would set a very dangerous precedent, as stated by the gentleman from Michigan [Mr. CRAMTON], when we go into the Federal Treasury and appropriate as a gratuity money to pay taxes on Indian lands that have been exempted. If that policy is pursued, it will cost \$50,000,000 every year to do justice to the State which I have the honor in part to represent, Oklahoma; and to pay taxes on Indian exempt lands there would cost perhaps more than that in Arizona, and as much in New Mexico and South Dakota and Idaho, and other States having Indian lands. So that I think we might well hesitate before we undertake to set any such dangerous precedent. I realize fully that the Indian Committee of the House has passed upon this proposition.

Mr. HILL of Washington. Mr. Chairman, will the gentleman yield?

Mr. CARTER. If our friends on the Indian Committee can recall the facts in the case, I should be very glad to hear from them and get such information as they can give on the subject. But until I get such information I feel very reluctant about establishing any dangerous precedent now.

Mr. HILL of Washington. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. HILL of Washington. The gentleman has referred to precedents. Does the gentleman have in mind the peculiar language in this act of July 1, 1892, providing for the payment of such local taxes, and that such language is not contained in any other similar act?

Mr. CARTER. Well, I have not any particular language in mind at all in any act. The only thing I have in mind at present is this, as I have just tried to make clear, that I believe in keeping any agreement or understanding we have with the Government's wards—the Indians. If we agreed that certain of their funds should be used to pay taxes for certain purposes and we have not done that, then we should do it; but if those funds have been used and exhausted, then certainly we have not the right to go into the Federal Treasury and use money for any of the purposes mentioned in the act.

Mr. SNYDER. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. SNYDER. The gentleman has made reference to the fact that this bill has been before the Indian Affairs Committee. I will say to the gentleman that for seven years this bill has been in various forms before the Indian Affairs Committee and has been discussed many times. The last time was the first time it was ever considered of enough importance to send it to a subcommittee to investigate. In the closing of the session the subcommittee reported favorably upon this bill, but the committee as a whole had no time to go into an investigation of it to any very great extent. I have always had my doubts about the propriety of passing such legislation, and I concur heartily in what the chairman of the subcommittee and the gentleman from Oklahoma [Mr. CARTER] have said with reference to the matter. I think there is a question of grave doubt in that bill as to whether the amount should be paid.

Mr. CARTER. That satisfies me about it.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word, because I want to get this matter of precedent straight. If gentlemen want to set a precedent, then I would have no objection if it is going to be a precedent that is going to be adhered to in all parts of the country.

The Representative from Hoboken, N. J., has a bill here, which has been favorably reported, to refund to Hoboken money in lieu of taxes, due to the fact that the United States Government took over the German-American docks at Hoboken during the war.

Now, it may not be wise to set a precedent for the House, but there is something about it that does appeal to the average man as not being wholly fair to a large city or community to exempt large properties from taxation and at the same time allow those owning the property to enjoy the same privileges that the men who bear the burdens enjoy. Now, it does not appear to me to be fair for Congress to pass a bill providing that any citizen should receive all of the privileges and all of the protection which others receive and his property receive the same protection without paying any taxes.

Mr. CRAMTON. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. CRAMTON. In the gentleman's State, Oklahoma, there are great areas of Indian lands withheld from taxation but enjoying the blessings of which he speaks, and do I understand the gentleman from Oklahoma to say he feels we ought to appropriate from the Federal Treasury an amount equivalent to or in lieu of those taxes?

Mr. McKEOWN. I did not say that.

Mr. CRAMTON. Does not the gentleman feel we ought to treat Oklahoma as favorably as Washington?

Mr. McKEOWN. I want to show you the difference between the situations. Here is a case where the money was set apart and where the Government arbitrarily, as I see it and as I understand it, put some money into its own Treasury, and that we have not gone ahead and carried out the agreement to apportion the money to the different uses for which it was set apart. Now, if the Government does that these counties and municipalities should not lose on account of the act of some officer of the Government who goes beyond his powers or contrary to the law.

Mr. CRAMTON. If the gentleman will permit, it is a question whether that has been done or not. If it has been done, is not the proper thing for us to do to correct the whole error rather than to fuss away with this \$90,000?

Mr. McKEOWN. I think the gentleman should do as he is in the habit of doing, straighten it out right now without having to wait all these months and months in trying to get a bill through to do what ought to be done now.

Mr. CRAMTON. If the gentleman is correct, there is \$1,500,000 due them, while it is the contention of the Indian Bureau that only \$9,000 is due.

Mr. McKEOWN. The proposition is this: If you are not going to set a precedent to provide for the payment of money out of the Treasury of the United States in lieu of taxes due on large pieces of property then, of course, if you make the rule apply to all of the United States equally, nobody has any right to complain, but if you do not make it apply equally, of course, we have a right to complain.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired. The question is on the amendment offered by the gentleman from Washington [Mr. HILL].

The question was taken; and on a division (demanded by Mr. HILL of Washington) there were—ayes 17, noes 48.

Mr. HILL of Washington. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from Washington [Mr. HILL] demands tellers. Those in favor of ordering a vote by tellers will rise and stand until counted. [After counting.] Not a sufficient number, and tellers are refused.

So the amendment was rejected.

The Clerk read as follows:

INDIAN LANDS

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the act of February 8, 1887 (24 Stat. L. p. 388), entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey or allotment of Indian lands, \$50,000, reimbursable: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severalty on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word.

I would like to ask the chairman in regard to expenditures for allotments in the paragraph just ahead of the one read for the survey, resurvey, classification, and allotment of lands in severalty, and so forth. The appropriation is \$50,000, and I would like to ask the chairman if any provision was made in connection with that or at any other place in the bill for the allotment required under a decision of the Supreme Court of the Quinault Indian Reservation.

Mr. CRAMTON. The item the gentleman refers to is on page 20 and is the general item for survey, resurvey, classification, and allotment of lands in severalty?

Mr. JOHNSON of Washington. Yes.

Mr. CRAMTON. And the gentleman asks is there any specific item for the allotment of the lands of the Quinault Indians.

Mr. JOHNSON of Washington. I will state it a little more explicitly.

Mr. CRAMTON. There is no specific item in the bill in reference to the Quinault Indians.

Mr. JOHNSON of Washington. The Supreme Court, in a decision rendered a few months ago, decided that the land in the Quinault Indian Reservation, whether agricultural or chiefly timber, had to be allotted. This is a large reservation. At one time some 600 allotments were made ready. This was 15 years ago. The markings, I understand, are now imperfect, and much of the land is unallotted. Now arises the question of proceeding to the allotment under the Supreme Court decision, and the statement is continually made to me in response to my requests on behalf of those who desire allotments that the Indian Office has no funds and that this allotment now required by the decision of the Supreme Court can not be made until that office has funds. I was prepared to go before the committee and make a showing in respect to that.

Mr. CRAMTON. Has the gentleman asked the Indian Office whether the funds provided for 1926 would take care of his situation?

Mr. JOHNSON of Washington. I do not know where to find out about the fund unless it is this item of \$50,000.

Mr. CRAMTON. The Indian Office would know exactly. If the matter the gentleman has in mind is in regard to the survey or resurvey or classification or allotment of lands in severalty under the act of 1887, or any other act, this would be wide enough to cover it.

Mr. JOHNSON of Washington. Except that the money here proposed to be allotted would not be enough.

Mr. CRAMTON. The money might not be sufficient. A question addressed to the Indian Office as to whether they have included something in their estimate for your particular situation would give the desired information. They would know better than I would. At the hearings their statement was that the amount allotted for the use of the Land Office, according to the figures received in that office, have been apportioned for 1925 and included \$3,000 for the State of Washington, and in apportioning survey funds made available for use during the fiscal year 1926 it was intended to allow not less than \$40,000 for work to be done under the supervision of the General Land Office in the allotment of this money; but there is no exact statement as to what lands in the State of Washington are to be cared for, and I can not answer about that.

Mr. JOHNSON of Washington. I have made inquiry. The Assistant Secretary of the Interior paid a visit this summer to western Washington, including a trip to the Quinault Reservation. He was in consultation with the superintendent of the various tribes in that part of the country, and thereafter stated that the allotments could not be made until funds were provided. I am simply bringing the matter to the attention of the chairman. It is a matter of administration, including the necessary appropriation by Congress.

Mr. CRAMTON. I will say to the gentleman from Washington I will be very glad to get some exact and definite information for him. All I could give him now would be speculation, but I will later get the exact information for him.

Mr. JOHNSON of Washington. That is much the same situation I am in myself. The allotment matter has to be considered. Timber on this reservation is probably worth \$7,000,000, some of it being sold under long-term contract, a partial allotment started 15 years ago and then stopped by a ruling that the land could not be allotted unless it was chiefly agricultural. The Supreme Court has reversed that ruling and ordered the allotment. How are we going to do it? Are we going to put a \$1,500 a year allotting agent out there to handle that great property? Who is going to take care of and close the rolls? It is quite a problem and one that should be discussed in some detail by some committee of this House.

Mr. CRAMTON. On inquiry at the Indian Office I learn the matter the gentleman from Washington mentions is under consideration, and a supplemental estimate to cover it is likely to follow.

The CHAIRMAN (Mr. CHINDBLOM). Without objection, the pro forma amendment is withdrawn, and the Clerk will read. The Clerk read as follows:

For necessary surveys and investigations to determine the feasibility and estimated cost of new projects and power and reservoir sites on Indian reservations in accordance with the provisions of section 13 of the act of June 25, 1910, \$1,000.

Mr. TAYLOR of Colorado. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Colorado offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of Colorado: Page 29, line 2, after the figures "1,000," insert: "for reconnaissance work along the upper waters of the San Juan River, in La Plata County, Colo., to determine the water supply available for irrigation of lands in that vicinity by gravity and to determine whether or not such supply can be augmented by the impounding of flood waters and whether there are any feasible reservoir sites should investigations develop the feasibility of impounding such flood waters for irrigation purposes, \$10,000. Said sum; or any part thereof, that may be expended for this work shall be charged to lands that may hereafter be benefited by reason of these investigations and before any development pursuant to investigations made under authority of this act shall be carried out, the Secretary of the Interior shall execute with the landowners to be so benefited contracts providing for payment of the money expended."

Mr. CRAMTON. Mr. Chairman, if the gentleman from Colorado will yield, the amendment the gentleman has offered is an amendment which has been discussed with the Indian Office and which I have talked over with him.

Mr. TAYLOR of Colorado. Yes. I have used the language that we discussed with the officials of the Bureau of Indian

Affairs at the time of the hearings on this project and since that time.

The hearings before our subcommittee pertaining to the Pine River project on the Southern Ute Indian Reservation, in La Plata County, Colo., disclosed that the irrigation system was originally constructed by the Indians, but, due to inefficient methods and the rough topography of the country, it has required many changes and repairs, and the department urges an appropriation sufficient to rehabilitate that work. The commissioner also sets forth that a suit has been brought in the United States court at Denver for the purpose of preventing infringements by the whites upon the water rights of the Indians.

When I was down in southern Colorado this last fall a large number of ranchmen living adjacent to the Pine River came to see me at Bayfield and very earnestly presented the seriousness of the situation. Mr. Meritt, the Assistant Commissioner of the Bureau of Indian Affairs, stated before our committee that his bureau would look with favor upon the authorization of an investigation of the reservoir possibilities and of an appropriation of this amount to ascertain the cost of the construction of storage reservoirs sufficient to furnish the necessary amount of water to supply all the white settlers as well as the Indians, and that is the object of my amendment.

I am in hopes that the engineers of the Interior Department may during the next spring and summer make a thorough investigation of practical reservoir sites and also the flow of water throughout the season in that drainage section and ascertain whether or not there is sufficient water flow to supply all the needs of both the whites and Indians.

This situation is of very great importance to the welfare of that southern part of my State. In fact, the suit has a far-reaching effect generally to southwestern Colorado. In fact, it affects directly or indirectly every resident of the San Juan Basin and the drainage of the streams crossing the reservation; that is to say, practically all of the population of that part of southwestern Colorado.

Personally, I feel that this appropriation could not be made as a charge against the lands ultimately benefited, because both the whites and the Indians have absolute rights there, and it does seem to me that it comes squarely within the principle adopted by Congress concerning the Yakima Indian Reservation, in the State of Washington. I notice in Senate Document No. 337, Sixty-third Congress, second session, volume No. 5, pages 23 to 26, where a joint commission on impounding water on the Yakima Indian Reservation project was appointed, under section 23 of the Indian appropriation act approved June 30, 1913. That commission reported December 20, 1913. This document sets forth a condition almost identically parallel to this, and in pursuance to that report Congress passed an act approved August 1, 1914, which appears in the United States Statutes, Sixty-third Congress, volume 38, part 1, page 604, providing for the appropriation of money for the construction of waterworks to supply the Yakima Indians for the water taken away from them by the whites. And in this bill we are now considering is an item of \$11,000, which has also been carried in this bill for several years past, for the benefit of the Yakima Indians, in pursuance with that act of Congress.

While this suit referred to only directly affects those residing in the Pine River Valley, the same condition exists as to all the other streams in southwestern Colorado lying west of the Continental Divide. If the theory of the Government in this suit is correct, it practically nullifies and repudiates the State laws, giving preference to users of water for domestic purposes, such as our towns and cities; that is, if the theory of that suit is correct, the Government can not only take away the waters heretofore appropriated by the ranchmen and whose rights have become vested under the constitution and laws of Colorado and have been in active use unmolested for many years, but the Government could also take for the irrigation of Indian lands the waters appropriated and used by our towns and cities.

It does seem to the people of southwestern Colorado that there can be no justice or equity in the Government now attempting to deprive the people who have developed all of that country of the results of their many years' labor and expenditures and pioneer hardships. The Government has consistently and continually offered inducements for the people to settle upon and develop the lands throughout the country, and the Government has received the money for the payments on the lands and has encouraged the expenditure and improvements upon the lands and ditches and has formally approved the water rights acquired thereby.

The Indians and whites on the Pine River have gotten along with difficulty, I understand, and up to the present time there has been sufficient water for both the whites and Indians, and we see no immediate cause for the bringing of this suit.

The worst feature of the litigation is that the mere bringing and the pendency of this action has practically destroyed the credit of all those farmers and made it practically impossible for them to secure loans upon their lands irrigated from the Pine River.

It does seem to me that this situation presents a case that is entirely parallel to the one referred to on the Yakima Indian Reservation, in which Congress has recognized the rights of the whites to their appropriations and has appropriated money out of the Federal Treasury every year toward enlarging the water supply to make it sufficient for both the Indians and whites without working any hardship upon either. And in this case reservoirs of sufficient capacity can be provided at comparatively modest cost to fully supply all the immediate and future needs of the Indians for their lands; but the independent farmers have not the means and can not build these reservoirs, and they should not be required to do it, and they certainly can not secure the means to build such reservoirs under any circumstances with the present litigation pending. By the construction of those reservoirs the Government can fulfill to the very utmost every obligation it may owe to the Indians with respect to providing water for the irrigation of their lands, and it can allow the white settlers to retain what both the Government and the State of Colorado have allowed and approved and induced them to believe they were obtaining by their settlement and development.

The seriousness of the situation presented by this litigation is very fully set forth in a letter to me from the Durango Exchange, of Durango, Colo., which is the leading business men's organization of all southwestern Colorado, and I think their suggestions and information upon this subject are worthy of careful consideration by Congress. The letter is as follows:

THE WESTERN COLORADO CHAMBER OF COMMERCE,
Durango, Colo., October 3, 1924.

HON. EDWARD T. TAYLOR, M. C.,
Washington, D. C.

DEAR SIR: Your attention is called to the suit recently instituted in the District Court of the United States for the District of Columbia, sitting at Denver, No. 7736, and entitled "The United States of America, plaintiff, v. The Morrison Consolidated Ditch Co. et al., defendants."

In the suit the Government claims and demands the absolute first and prior right to the use of 212 cubic feet of water per second direct from Pine River, and one additional foot from Dry Creek, a tributary of the Pine River emptying into that stream near Ignacio, Colo.

This demand is not founded upon any claim of prior appropriation or application to beneficial use, but is based upon the theory that under the several so-called "treaties" made by the Government, and particularly the treaty ratified by Congress June 15, 1880 (21 Stat. 199), and the act of February 20, 1895 (28 Stat. 677), the Government impliedly agreed to and did reserve for use upon the Indian lands whatever water might at any time thereafter be required for their irrigation, and reserved and held the absolute right to take and use upon such lands the entire flow of the river, if necessary, regardless of the loss or damage to ensue, even though it mean the utter ruin of the settler, who, at the invitation of the Government, had invested his all, and had spent years of hardship in improving and reclaiming the theretofore barren, fruitless, and desert lands.

The present case involves, as we are advised, some 150 or more defendants, and threatens great damage, if not ruin, to every resident of the Pine River Valley from its head to the Colorado-New Mexico line.

It is asserted the contention of the Government is supported by the cases of *Winters v. U. S.*, 28 Sup. Ct. Rep. 210; *U. S. v. Conrad Co.*, 161 Fed. 829 and 156 Fed. 128; *U. S. v. Morrison*, 203 Fed. 364; and other cases.

On the other hand, it is contended that none of these decisions are controlling.

But it is not our purpose to discuss the legal propositions but to call your attention to what we consider the uncalled-for hardship and rank injustice of such procedure in this instance.

Whether the Government on the one hand or the settlers on the other might win in the end, these things we think deserve consideration by the Interior Department in determining whether a better method of settling all controversies may not be reached.

(a) These farmers are mostly men of small means; like farmers elsewhere, they have under conditions recently prevailing for several years operated at a loss which has practically wiped out all previous profits.

They are unorganized and without machinery for a combined, common defense to the suit.

(b) The Government has for years been gathering its data and formulating its plans, collecting and arranging its evidence, making its surveys, etc., with unlimited means at its disposal.

A proper preparation of the defense and proper trial of the case will involve an expenditure far beyond the combined resources of the defendants.

(c) The institution of this suit, threatening as it does to take away water rights, without which their lands would revert to their original desert condition, has affected, if not destroyed, their ability to raise by loan any money to conduct their defense.

(d) It appears from the complaint in this suit that beginning with the year 1877 and continuing until now the defendants and their predecessors in interest "have from time to time constructed numerous ditches and diverted water from the Pine River and its tributaries for the irrigation of their lands."

And such settlement and ditch construction was made at the invitation of the Government (which encouraged the reclamation of these desert lands), and was under and in conformity with Government and State laws and regulations.

(e) The defendants have some equity; the Government owes them an obligation no less weighty than its obligation to the Indians.

(f) The Government can fulfill to the utmost its obligation to furnish water to the Indians (if such obligation exists) without the slightest injury or injustice to anyone by the construction of reservoirs to conserve the flood waters of the river.

Such flood waters are more than ample to care for every need of all the Indian lands for all time to come, and can be constructed at a moderate cost, but a cost beyond the reach of these defendants.

(g) Several such reservoir sites have already, as we are informed, been surveyed by the reclamation and Indian departments, and we believe the Government is now in possession of surveys, plats, details, and information sufficient to enable it to determine with substantial accuracy the cost of construction of reservoirs amply for all needs of the Indians now or hereafter.

Why can not such reservoirs be constructed? We ask no favors for the white settler as against the Indian, but we do ask that all stand upon the same basis. Where Indian ditches have actually been built let their priority, as the priority of the white man, be based upon priority of diversion and application to beneficial use.

We believe it would be simple justice if the Secretary of the Interior will include in the Budget an amount sufficient to build these reservoirs and ask Congress to make the necessary appropriations.

In the meantime we suggest that the mere pendency of this suit, with the apparent effort to force it to an early issue, is working an untold hardship upon the hundreds who have in good faith accepted and acted upon the invitation of the Government to purchase and reclaim these lands.

May we ask you to give prompt and serious consideration to our suggestions?

Very respectfully,

THE DURANGO EXCHANGE,
By CHARLES E. HALL, Secretary.

I may add that the local attorneys of southwestern Colorado feel that the Winters case, in the Supreme Court, referred to by Mr. Meritt, is not, strictly speaking, applicable to the conditions prevailing upon the Pine River. And in support of that position they have called my attention to several cases, as follows: 166 Fed. 128; 143 Fed. 740; 148 Fed. 684; 230 Fed. 277; 240 Fed. 274; same case, 39 Supreme Court report, page 40; 234 Fed. 95; same case, 246 Fed. 112.

I have not had time to look into them carefully myself. I desire also to state in the records that I personally know the conditions upon that project, and in pursuance of my conference with the settlers I have asked the Interior Department and the Indian Bureau and the Budget Bureau to approve my application to them for their indorsement of an appropriation for \$10,000 to make a thorough investigation of the situation and a survey and estimate of the cost and feasibility of reservoir sites in the Pine River Basin sufficient to supply all the water necessary for the future use of the Indians and whites in that basin. And the Interior Department has so recommended to the Budget Bureau. In the meantime I have asked the Interior Department to request the Department of Justice to suspend further action in this litigation until such report is made and until Congress may have reasonable opportunity to take action in the matter, and I understand that recommendation has been made to the Department of Justice.

I believe that such an appropriation and expenditure would come thoroughly within the provisions of what is known as the Snyder Act—Public No. 85, "An act authorizing appropriations and expenditures for the administration of Indian affairs, and for other purposes." (42 Stats. p. 208, pt. 1, approved

November 2, 1921.) Under the provisions of that act, "For extensions, improvement, operation, and maintenance of existing Indian irrigation systems and for development of water supply."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

The amendment was agreed to.

The Clerk read as follows:

For commencement of construction work on a dam across the canyon of the Gila River near San Carlos, Ariz., to be hereafter known as the Coolidge Dam, for the purpose, first, of providing water for the irrigation of lands allotted to the Pima Indians on the Gila River Reservation; and, second, for the irrigation of such other lands in public or private ownership as in the opinion of the Secretary of the Interior can be served water impounded by said dam without diminishing the supply necessary for said Indian lands as provided for in the act approved June 7, 1924 (43 Stat. L. pp. 475, 476), \$450,000, to be immediately available: *Provided*, That said sum, or so much thereof as may be required, shall be available for purchase and acquiring of land and necessary rights of way needed in connection with the construction of the project: *And provided further*, That the total amount appropriated shall be reimbursed to the Treasury of the United States in accordance with said act of June 7, 1924.

Mr. CRAMTON. Mr. Chairman, I do not think we need to settle the affairs of the State of Texas up here. They seem to be able to settle them themselves, although they have a lot of trouble in doing it. I have some sympathy with the gentleman, the Governor of Texas, or any other citizen who desires to be in the limelight in competition with our colleague from Texas. [Laughter.]

But the item before us results from a suggestion of eminent members of a different party from that of the President. It was deemed by them desirable, and I do not believe there is anyone but what would agree to that, except the gentleman from Texas. If the gentleman from Texas really is opposed to that language in the bill, as he has manifested by his speech, it seems to me his proper course is to bring the matter before the committee by an amendment and let us see how many will agree with the gentleman from Texas.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SNELL. It in no way affects the cost of the dam.

Mr. CRAMTON. Absolutely not.

Mr. SNELL. The remarks of the gentleman from Texas have nothing to do with that feature of it.

Mr. CRAMTON. They have nothing to do with any economy program.

The Clerk read as follows:

For maintenance and operation of the irrigation systems on the Flathead Indian Reservation, in Montana, by and under the direction of the Commissioner of Indian Affairs, including the purchase of any necessary rights or property, \$10,000 (reimbursable).

Mr. EVANS of Montana. Mr. Chairman, with regard to the question of the appropriation for the Flathead Indian reclamation project, I beg to suggest to the committee that the language carried in this bill differs from the language of the preceding bill in that this provides only for maintenance and operation of this project. It is a \$7,000,000 project, and I think about \$5,000,000 have been expended. The Congress has annually appropriated an average of about \$250,000 until last year. Last year the Budget Committee recommended \$300,000. The House committee recommended only \$50,000. In a compromise between the House and the Senate \$150,000 was appropriated. This year provision is made in the bill only for maintenance and operation and no money is appropriated for a continuation of the work.

I do not think this project is thoroughly understood by the House or by the committee, or perhaps by the department, and if you will bear with me I am going to suggest there was in Montana for many years what is known as the Flathead Indian Reservation. It consisted of a territory in a basin, not perhaps unlike this Hall, consisting of about 1,000,000 acres of land. Some 20 years ago the Government, through its Congress, conceived the idea of embarking upon the proposition of opening this reservation, and by a bill passed through the Congress it was provided that the Indians, about 2,000 in number, should take their lands in severalty—40 or 80 acres, as the case might be—and that the remainder of the agricultural lands of that reservation should then be subject to homestead entry by homesteaders, white people, at an appraised value.

The Government appraised the land at \$1.50 to \$7 per acre, so that the homesteader had to pay anywhere from \$1.50 to \$7

per acre, depending upon the appraisalment of the individual land he took, and then had to comply with the homestead law for a period of three or five years, as the case might be. Then the Government found in the lower part of this great basin about 150,000 acres of agricultural land that might be irrigated, and it embarked upon the plan of reclaiming that land. Part of this land had been taken by the Indians as their individual allotments, part of it had been taken by the white men as homesteads, and the Government said, "We will withhold title to these homesteads until this land is reclaimed and then, when the citizens have paid their fair share of the cost of reclamation, we will give them title and we will charge to the Indians a like amount, prorated for his acreage within the arid strip of territory that is being reclaimed." So this is not primarily an Indian project.

The larger portion of these arid lands that are being reclaimed was homesteaded by white men. The reservation was opened in 1908, and these people went on the reservation 16 years ago with the understanding made by the Government of the United States and the Congress of the United States that we would reclaim the lands and would reclaim them in a reasonable time and would give these people title to the land upon payment of the cost of reclamation. It was estimated by the engineers of the Bureau of Reclamation that it would cost about \$40 to \$45 per acre. We now find that when it is completed it will cost considerably more than that, and that is largely brought about by the fact that the Government has not conducted the matter in a businesslike way. It appropriated about \$200,000 a year, or perhaps \$250,000 or \$300,000 a year on an average, for 15 years upon a project that will cost \$6,500,000 or \$7,000,000 and then we complain that we get nothing back. The truth is the overhead charges in conducting a business transaction like that of \$7,000,000, with an expenditure of \$300,000 a year—the overhead charges and the waste represent about half the amount of money that has been spent on the project. These people have been there 16 years waiting for the Government to comply with its implied contract. They can not get title to their land. The State of Montana can not even tax the land. They can tax the improvements put upon it, but they can not collect taxes for the land, because the title is in the Government of the United States, and yet the Government of the United States will not go on and carry out its implied contract, at least to reclaim these lands.

The Government has spent now four and a half to five million dollars upon this project, and the recommendation of the committee is that we spend no more money. This recommendation is based upon the fact that the committee feel the people are not using the water to the extent it is susceptible of being used, and I suspect, in some degree, there is merit in that contention. They are not using it to the extent it is susceptible of use; why? Many factors enter into it. A man who has 40 acres of land can not improve the whole 40 acres of land the first year for irrigation purposes, or perhaps for two or three years.

Again, the turnover of the people upon that land has been very considerable. Men can not live always upon barren land waiting for the Government to do something. So that the first man moves off and sells his improvements to his neighbor or some newcomer or some one else, and he in turn stands it for four or five years and then he himself moves off, and naturally the turmoil and disturbance is very great, and for that reason there is not as much water used as would otherwise be if the matter had been completed in a businesslike way. It is incomprehensible, gentlemen, that the Government of the United States should put four and a half or five million dollars in an uncompleted project and then absolutely abandon it.

The truth is the Government has not got the water yet. They have got water in spots. To my personal knowledge there are 7,000 acres of land lying contiguous to the little town of Ronan that is claimed to have been reclaimed. The ditches are there, but back in the mountain the reservoir is not sufficient to supply the water to fill those ditches to irrigate that land in the irrigation season, so there are 7,000 acres of land which, of course, did not pay any revenue last year and will not pay any next year if they do not furnish water, and it will not pay if water is furnished one season and not furnished the following season, because farmers can not carry on a successful business under such circumstances. No manufacturer or any other business man could exist if every other year his business goes to pieces; of course he accomplishes nothing.

In August of this year I visited a considerable portion of this project, and I found miles of ditches and two reservoirs

as dry as this floor, because the storage capacity is not sufficient. For the last half dozen years I have been annually urging this Congress to make adequate appropriation to build storage reservoirs. Of course until an adequate supply of water is furnished these people can not be expected to make any returns to the Government.

The Appropriations Committee, which brings in this bill, recommend no appropriation to continue work on this project. Such a course is unwise and unbusinesslike. It is unjust to the people who for 16 years have waited for the Government to comply with its promises. It is unjust to the Congress itself to discontinue a worthy project under such circumstances. There are 20,000 people now living on what was the Flathead Indian Reservation; a considerable part of these people are dependent largely upon the reclamation of these lands for sustenance, and yet it is proposed by this bill, without any notice whatsoever, to discontinue this work.

It appears to me that if the committee and Congress are not satisfied and feel that something should be done by the people on this project before more money is expended, then the better plan would be to make an appropriation, with a limitation upon the same, providing that the money should not be spent until the conditions are complied with.

But the committee do not ask that. They simply cut off all appropriations for the further development of this project.

The discontinuance of this work for even a year means added expense and hardship to these people which in the end they must pay. I have no doubt that the actual additional expense will be more than \$100,000. It means that the whole working force must be broken up, moved, and disintegrated, the engineers and the office force discharged or sent to some other point, the steam shovels and similar equipment shipped to some other point or disposed of, the horses and mules used in this construction to be sold at a sacrifice, only to be repurchased or replaced at some future time at an additional price. The lumber, cement, and other necessary supplies for carrying on the project will deteriorate or disappear, so I think I am well within reason when I suggest the actual loss by a year's delay will be \$100,000. The potential loss in crops and produce will be twice as much more. It is a manifest injustice that should not be imposed by this Congress upon any body of American citizens, and I appeal to the sense of justice of the Members of this House to make a reasonably adequate appropriation to continue this work. I protest against even a temporary abandonment of this project.

Realizing the temper of this House to-day and the futility of attempting to amend the bill at this moment, I am not offering an amendment, but I am simply protesting against the passage of this bill without adequate appropriation for this project. I have consulted with other members of the Montana delegation who agree with me in the course I am pursuing. I am hopeful, however, that the Senate will so amend this bill that when it eventually becomes a law it will carry the necessary appropriation to warrant a belief in the completion of the project within a reasonable time.

Mr. CRAMTON. Mr. Chairman, I rise in opposition to the pro forma amendment. The questions involved in these Montana Indian irrigation projects are very important and very serious. A year ago the committee sought to go into it, and the department was woefully lacking in the information that they ought to have. We assumed—and we had a right to assume—that this year they would be better equipped to enlighten the committee, but this year I think, if anything, they knew less than they did a year ago. I refer now to anybody who could come before the committee. No doubt the information is out in Montana.

Mr. EVANS of Montana. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. If the gentleman will first permit me to complete what I have to say. I am saying this because I want the gentleman from Montana to understand the attitude of the committee. I esteem the gentleman as highly as any Member of the House. Having served with him on the Committee on Appropriations, and having traveled with him in his State, I know his merits. I feel that some time or other Congress should come to a definite decision as to what is to be done on those Indian projects in his State, but it is up to the department, it seems to me, to get busy and further analyze that situation out there and be prepared to give us information as to whether the project should be completed or abandoned. If completed, then to what extent and what new structures are necessary, and as to what has been done in the past, and whether readjustments are necessary. All of those things ought to be worked out in a completed plan. I have in mind myself, as have other members of the subcommittee, that this

coming season, if we do visit any activities of the department in the West, we especially want on the ground to make a study of the problems with reference to these projects. However, until we do have information so that we can go ahead with a definite knowledge, it has seemed to us that the proposition presented by the department this year, that of marking time as to construction, is the proper one to follow, and we have only presented appropriations for operation and maintenance. This is not to be taken as a final decision, even as to the subcommittee, that the matter of further construction should not be reopened and completed some time later. I now yield to the gentleman from Montana.

Mr. EVANS of Montana. Mr. Chairman, I should be gratified if the committee would go upon this project and make a personal investigation. It seems to me that the responsibility is not so much with the Indian Office as it is with the Congress. It is the Congress that is legislating. I agree with the gentleman from Michigan that he gets very little information from the department on this question, but the information is available. If Congress would take the necessary steps to get it, it could get it. Congress should call on the engineer in charge of the project, Mr. C. J. Moody, and he would tell all about it. He would be able to tell more in a minute than you will learn from the department in a thousand years.

Mr. LEAVITT. Mr. Chairman, I move to strike out the last two words so that I may make this suggestion with reference to the Flathead project. The settlers on all Indian projects ought to be given the benefit of the new law with regard to a more scientific and fair manner of repayment to the Government of their water charges, such as has been given by Congress in the act passed by the Senate the day before yesterday and now before the President. I have a favorably reported bill to the effect. They will then be in a position to meet the charges that are accruing against them in a reasonable way. I am sure we will then be in a position to ask successfully for the necessary appropriations to complete the project. I am in entire accord with my colleague from Montana [Mr. EVANS] as to the steps which should be taken in this regard.

The Clerk read as follows:

For operation and maintenance of the irrigation system on the Pyramid Lake Reservation, Nev., \$3,500, reimbursable from any funds of the Indians of this reservation now or hereafter available.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. The Pyramid Lake Reservation in Nevada and the irrigation system, together with the Newlands irrigation project that is further east and west, together with a diversion dam of the Newlands project known as the Derby Dam, together with the use of the Pyramid irrigation project have so affected the flow of the Truckee River from Lake Tahoe and its various smaller reaches in the river before it reaches Reno, except that when the river reaches Pyramid Lake at the mouth of the lake, it extends out in a number of fingers whereby the trout are prevented from going up the stream to the various reaches of the river and Lake Tahoe. I have had this matter up with all the departments—the Bureau of Fisheries, the Fish and Game Commission of California, and the Fish and Game Commission of Nevada, and the Reclamation Service, and the Bureau of Indian Affairs.

It seems as though it is really incumbent upon the Reclamation Service and Bureau of Indian Affairs to provide in one of these appropriations, either under the Newlands project or the project here, with a proper provision to be made that the Derby Dam and other places on the stream, occasioned by virtue of the use of the river and use of water for irrigation projects as well as Indian reservations and irrigation projects, so that the fish might be utilized and come up this stream, which has been a wonderful resource to that part of Nevada and California. I have a lot of data and hoped to get the department to agree to put a provision in the reclamation part of it—that is, under the Newlands project—that a certain amount be expended to keep this stream open. May I ask the chairman if that matter was brought to his attention in the committee's hearings?

Mr. CRAMTON. I have not been able to follow all the gentleman said, although I tried hard to do so. I think nothing has been brought to the committee along the line the gentleman has suggested.

Mr. RAKER. Possibly we will not reach that part of the bill which provides for the Newlands reclamation project to-day.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. I ask for two more minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. When we reach that paragraph which provides for an appropriation for the Newlands project between now and to-morrow, if I could furnish data and authorization from the department, would the gentleman have any objection to a proviso that a certain amount be used for this purpose?

Mr. CRAMTON. I think we had better wait until we come to that paragraph. If it is not reached until to-morrow, I will read the record of what the gentleman has said also. I am always open to conviction.

Mr. RAKER. What I have said concerning this is simply a general statement without presenting facts as I should like to do.

Mr. CRAMTON. The gentleman will have that opportunity for a further presentation.

Mr. RAKER. All right.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

For improvement, maintenance, and operation of the Modoc Point, Sand Creek, Fort Creek, Crooked Creek, and miscellaneous irrigation projects on the Klamath Reservation, \$8,940, to be paid from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as may be used, to be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. ANDERSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed the following concurrent resolution:

Concurrent Resolution 23

Resolved by the Senate (the House of Representatives concurring), That a joint committee consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President elect of the United States on the 4th of March next.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL

The committee resumed its session.

Mr. HUDSPETH. Mr. Chairman, I move to strike out the last word. I desire to ask the gentleman from New Mexico [Mr. MORROW], living close to the line, in regard to the bridge which he advocated here last session on which the Pueblos could cross over to their farms, they living on one side of the river and having to cross backwards and forwards. Has the gentleman secured an appropriation for the building of that bridge?

Mr. MORROW. It is under construction at the present time; appropriation has been made.

The Clerk read as follows:

For operation and maintenance, including repairs, of the Toppenish-Simcoe Irrigation unit, on the Yakima Reservation, Wash., reimbursable as provided by the act of June 30, 1919 (41 Stat. L. p. 28), \$3,500.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last word. I offer an amendment to the paragraph, to strike out "\$3,500" and insert "\$5,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 2, strike out "\$3,500" and insert in lieu thereof "\$5,000."

Mr. SUMMERS of Washington. Mr. Chairman and gentlemen, I want to say a word concerning the general situation. In 1855, when the Indians of eastern Washington surrendered many million acres of land to the United States Government by treaty and limited themselves to the present Yakima Reservation, they were accorded certain rights and privileges under that treaty. The treaty was only fairly well observed by the whites, and the Government slept on the Indians' rights. Water was filed on by our irrigation projects and finally the United States Government had to expend something more than a million dollars in providing water rights in lieu of those they had permitted to slip away. At that time the Government agreed that it would furnish water for 40 acres for each Indian allotment, so we are under obligation to the Indians. Now, I am not wanting this work unduly pushed, but the situation is this, and I will have to say to you the same thing in regard to three different units all on the same project. The work has been under way for many years. There is something more than 100,000 acres that is now under irrigation, and it is

universally agreed that it is the most successful Indian irrigation project in the United States, and that it has cost less per acre than any other Indian project in the United States. I have been looking into this during the past several months, and I have learned that they have about \$100,000 worth of machinery there on the project with which they have been operating.

They tell me that they have the best organization that they have ever built up at any place in all the western territory for operating this machinery, and that it is doing efficient and effective work.

Now, the question is, since we are under obligation to put water on this land for these Indians—and we have been doing it for many years—whether it is the proper thing simply to take up \$100,000 worth of machinery and give it a dose of oil, which will stop deterioration to a certain extent, and disseminate and scatter and distribute to the four winds the best working organization they have ever had.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. LAGUARDIA. Would that \$3,500 a year be enough to do that?

Mr. SUMMERS of Washington. My contention is that it is not economy, and you are subjecting those who will have to repay this to undue expense which they ought not to be subjected to.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. In just a moment. The chairman of the committee, I am sure, would not start to build a residence and do a certain part of the work this year and then say, "We will do just enough next year to cover up the foundation," and next year build a little more, up to the second story, and then stop there, and a year or two later put on the next story, and finally put on the roof. That is an expensive way of doing private business. But we do those things here and then criticize the whole irrigation policy because it does not work out exactly on a business basis and because we do not get repayment charges as promptly as we should.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SUMMERS of Washington. May I have two additional minutes?

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for two minutes additional. Is there objection?

There was no objection.

Mr. SUMMERS of Washington. Now there has been some work done on this particular unit, and they have a partial but insufficient supply of water, so they do get a little early crop. The Government is committed to this project. It is just a question as to when it will perform its duty. My question is, "Shall we do it in this slipshod, piecemeal fashion, covering many years, which is the most expensive way to do it?" This is the most highly productive Indian project in the United States.

Now I yield to the chairman of the committee.

Mr. CRAMTON. How much is necessary to complete the project? Does this \$1,650,000 referred to by the bureau apply to this unit?

Mr. SUMMERS of Washington. I have not had an opportunity of looking at those figures. I think the most economical way would be to appropriate a large amount. But I am not asking that in these times of severe economy, but I do not want to have them quit work entirely.

Mr. CRAMTON. Let me ask another question. The water is now covering 4,000 acres of the most productive land in the United States.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. CRAMTON. Mr. Chairman, I ask for recognition in opposition to the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. CRAMTON. Why is it that no maintenance charges are being collected from these lands?

Mr. SUMMERS of Washington. The water that is supplied to this particular unit is only sufficient for some early crops. They have not a sufficient water supply to cultivate the land in the way the surrounding lands are cultivated, and grow remunerative crops.

Mr. CRAMTON. Leaving out of consideration the 2,200 acres that are cultivated by the Indians of this most productive land in the United States, even though we do not collect a dollar an acre from that, why should we not collect a dollar an acre for maintenance from the white owners on the 1,016

acres and the other 871 acres? In other words, why not collect from the white owners of these lands?

Mr. SUMMERS of Washington. I will say to the gentleman that if this project is completed up to the point where they are supposed to pay they should pay.

Mr. CRAMTON. This water that they are getting now is worth a dollar an acre. Why should the Treasury of the United States furnish it?

Mr. SUMMERS of Washington. I do not know what the department is getting.

Mr. CRAMTON. The department says that on account of the Indians on this project no rate has been fixed. But year after year we are maintaining this out of the Treasury, and 2,000 acres of the richest land in the United States are getting water at the cost of the United States Treasury. So much for that.

As to the amendment that the gentleman offers, I agree perfectly with him that as to any project we are going to build we ought to appropriate each year for an economical construction unit.

The gentleman's figure—\$50,000—is not an economical construction unit. His whole argument condemns the amendment which he offers. Either we should go ahead with this project at an expense of several hundred thousand dollars and get done with it, or do as we have provided in the bill. To pay out money in dribbles would be unwise. To spend only \$50,000 a year is dribbling money and wasteful. I think we had better retain the committee provision.

Mr. SUMMERS of Washington. The first thing that is to be done is to acquire a dam site, and the \$50,000 will take care of that and some of the preliminary work and tide the thing over without stopping operations entirely. I am considering this in connection with the other two units.

Mr. CRAMTON. I understand the zeal of the gentleman from Washington for the interests of his State. At the present time there is nothing in this bill that can be given to the State of Washington where the gentleman does not have his hands held out. I wish him success, but I do not think we should spend money to maintain irrigation projects in his district any more than in any other place, and we ought not to provide for construction units in dribbles.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For continuing construction and enlargement of the Wapato irrigation and drainage system, to make possible the utilization of the water supply provided by the act of August 1, 1914 (38 Stat. L. p. 604), for 40 acres of each Indian allotment under the Wapato irrigation project on the Yakima Indian Reservation, Wash., and such other water supply as may be available or obtainable for the irrigation of a total of 120,000 acres of allotted Indian lands on said reservation, \$10,000: *Provided*, That the entire cost of said irrigation and drainage system shall be reimbursed to the United States under the conditions and terms of the act of May 18, 1916: *Provided further*, That the funds hereby appropriated shall be available for the reimbursement of Indian and white landowners for improvements and crops destroyed by the Government in connection with the construction of irrigation canals and drains of this project: *And provided further*, That not to exceed \$100 of the amount herein appropriated shall be available for settlement of damages caused in connection with the drainage of Mud Lake.

Mr. SUMMERS of Washington. Mr. Chairman, I offer an amendment to the section just completed: Line 18, page 36, strike out "\$10,000" and insert "\$200,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SUMMERS of Washington: On line 18, page 36, after the word "reservation," strike out the figures "\$10,000" and insert in lieu thereof "\$200,000."

Mr. SUMMERS of Washington. Now, Mr. Chairman and gentlemen, what I have said in regard to the Toppenish-Simcoe project applies here with even more force. We have worked on this particular portion of the project for a great many years and we have been making good headway. It is the champion Indian project of the United States.

I want to digress just a moment to reply to the chairman. He says that at every point in this bill where it is possible the gentleman from Washington has his hands out. Now, I am here to represent that district. I did not have any time before his committee; I did not have that opportunity, and this

is the only opportunity I have of stating the facts in regard to this Government work.

We are committed to it; we are going to do it; we have been doing it for years. We do have there \$100,000 worth of machinery and the best organization and the most efficient, they say, they have ever built up. And now are we going to make repayment charges impossible by dribbling the thing along and be forever in getting it done, and thus bring criticism year after year from the chairman of the committee, who is favorable in a general way to this project? I insist that the policy we maintain here of distributing these appropriations for construction over a long period of time makes it impossible to handle the project in a businesslike way, and then my people out there are criticized for the logical results of our illogical actions.

Now, I have offered this amendment for \$200,000, which will carry on the work and utilize the expert force they have gathered together, which they can never get together again, instead of standing the machinery up to rust until such time as we decide we shall go ahead and add another story to the house, the foundation of which we have already laid and which we are going to some time complete.

This is a successful project. I have familiarized you with it on previous occasions. If we put it on a business basis and go forward and complete it, I know of no reason why they should not go ahead with repayment collections and conduct the project in a businesslike way; but if we stretch construction out over 10 or 15 years instead of completing it in 3 or 4 years, we are simply making that thing impossible.

I maintain it is economy for the Government and economy for the people who have to pay the bills if we make this appropriation of \$200,000 and let the work move forward.

Mr. CRAMTON. Mr. Chairman, as I understand it, \$535,000 will complete the project. That is to be spent for a power and pumping plant. I suppose the power plant will save considerable to the users of water. The profits, if power is sold, will be used as they are on the Salt River project, namely, to reduce the cost of operation and maintenance.

I agree with the gentleman that when we start to complete that project we ought to appropriate enough for the economical construction of the project. There is nothing going on there this year, and I understand there was nothing last year in the way of construction. There is operation and maintenance, however, authorized by this item.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SUMMERS of Washington. I think the gentleman is mistaken about no work having been done there in the last two years.

Mr. CRAMTON. I am wrong about 1924, and there is only an appropriation for operation and maintenance for the current year. For 1925 there is nothing. That is correct, is it not?

Mr. SUMMERS of Washington. The chairman has the figures, and, as far as I know, it is correct.

Mr. CRAMTON. This is the most successful Indian project in the United States. Notice that; and yet we are asked to rush into the expenditure of another couple of hundred thousand dollars to provide a power plant for them. There are 10,000 acres cultivated by the Indians and 60,000 acres cultivated by the whites. I have been on that project. It is a splendid region, and any Indian who owns 40 acres of that land, with this water available, is comfortably fixed if he will simply be willing to go to work. If they will set it out to fruit, they can have an income of several thousand dollars a year. But instead of that most of them on that most successful Indian project in the country rent the land unimproved for about \$800 a year and then expect us to pay the school charges for their children when they send them down to Chemawa. I say that the more we make things easy for those people the less of a favor we are doing them.

Now, we do not even get the operation and maintenance cost back. For 1924 the collections on that project for operation and maintenance were \$70,000 and the cost was \$108,000, about \$1.50 an acre in a rich country, where the field crops are splendid and much is in great orchards—\$1.50 an acre for water. We pay out of the Treasury \$108,000, and only \$70,000 comes back. I think we can just mark time a little until we get straightened out.

Mr. SUMMERS of Washington. What is that date?

Mr. CRAMTON. That is 1924, the fiscal year; not the calendar year 1924 but the fiscal year. Before we build a power plant for them I think we should ascertain whether they are going to pay it back and pay it back with interest.

Mr. SUMMERS of Washington. The power plant has nothing to do with this, because this is already under irrigation.

Mr. CRAMTON. But the \$200,000 which the gentleman proposes is on the power plant.

Mr. SUMMERS of Washington. It is for a continuation of the project; it is to finish up the work we have agreed to do under the treaty and under later agreements.

Mr. CRAMTON. And that is the completion of the power plant and the pumping plant.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The question is on the amendment offered by the gentleman from Washington [Mr. SUMMERS].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For operation and maintenance of the Satus unit of the Wapato project that can be irrigated by gravity from the drainage water from the Wapato project, Yakima Reservation, Wash., \$5,000, to be reimbursed under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. SUMMERS of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMMERS of Washington: Page 27, line 7, strike out "\$5,000" and insert in lieu thereof "\$50,000."

Mr. SUMMERS of Washington. Mr. Chairman and gentlemen, these are not three separate projects. They are units of the same project, and the same machinery and the same organization that would operate in one place would also take care of the others. We have here a little different situation from the others. If we do not utilize water rights that are available, they are liable to be filed on further down the river and we will still be under obligation to the Indians to make good under our treaty and under later agreements we have had with them, and we may then find ourselves under the necessity of making a very great outlay for water rights. That has once occurred. We did that very thing. The United States slept on the Indians rights and it cost us \$1,000,000, and yet we blame the people for it. The Congress of earlier days is to blame for it. The members of the old Committee on Appropriations were responsible for that, and that is the policy you are asked to pursue now.

Let us appropriate \$50,000 and start the reservoir and show that we are going to use the water there and in that way hold the water right for 35,000 acres that are yet to be irrigated instead of letting it flow on down the river and be filed on further down. We will then have to expend perhaps half a million dollars for another water right.

This is one of the best districts in the country, and if it is not being conducted wholly on a business basis I maintain we are as much to blame right here on the floor of the House as they are down in the department or as they are out on the reservation itself. If you do this work piecemeal, spread over a lifetime, the overhead is bound to be enormous and you are bound to be a long time in getting your repayments, and my people are criticized because they do not repay. How could you pay for a piece of property out of the rentals from the property if you laid the foundation one year, spent a little money the next year to take care of the foundation, and the next year built the first story, and the next year the second story, and a few years later put a roof on the building?

How could you expect repayment of your capital from rentals received on property handled in that manner? That is what we are doing on our reclamation projects. It seems to me that it is not economy and that it is shortsighted, and that we ought to at least go ahead and complete the work we are obligated to perform and that we have undertaken and have under way, and handle it in a businesslike manner.

As far as the repayments are concerned or any just charges that the chairman has referred to for tuition for children, I am willing to go with him all the way in regard to that. I am not asking something for nothing. I am only asking that we handle public business as we would handle our own private affairs. I have told you time and again of the fertility of the soil, of the salubrious climate, transportation, hard-surface highways, near-by schools, and business facilities. This appropriation ought to be made now and the work on the Satus project continued at this time.

Mr. CRAMTON. Mr. Chairman, the hearings disclose that I asked Mr. Reed, the chief engineer of the Indian Service, about this amount of \$50,000 which is the appropriation for the

current year for this item, which is the Satus unit of the Wapato project. I asked Mr. Reed these questions:

Mr. CRAMTON. Does \$50,000 for construction, operation, and maintenance complete the Satus unit?

Mr. REED. Yes, sir.

Mr. CRAMTON. So now it is just a question of operation and maintenance?

Mr. REED. Yes, sir.

Mr. Reed says the current appropriation is going to complete the Satus unit. Evidently there is some addition to the Satus unit involved in the gentleman's amendment.

Mr. SUMMERS of Washington. Will the gentleman yield briefly?

Mr. CRAMTON. I think the orderly way would be to have the gentleman come before us and give us the information if he wants an additional project.

Mr. SUMMERS of Washington. May I make just a brief statement?

Mr. CRAMTON. Yes.

Mr. SUMMERS of Washington. There are 40,000 acres involved, but there is one part of that unit, one field, so to speak, that they have put water on.

Mr. CRAMTON. Are the conditions so flourishing in the State of Washington in agriculture that there is any need to hurry to put thousands of additional acres into cultivation?

Mr. SUMMERS of Washington. This does not bring them into cultivation at this time.

Mr. CRAMTON. Oh, no; but it takes the money out of the Treasury.

Mr. SUMMERS of Washington. With the best they can do, it will require several years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The amendment was rejected.

The Clerk read as follows:

Fort Bidwell Indian School, California: For 100 pupils, \$25,000; for pay of superintendent, drayage, and general repairs and improvements, \$7,000.

Mr. RAKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 42, after line 8, insert:

"Greenville Indian School, California: For 100 pupils, \$25,000; for pay of superintendent, drayage, and general repairs and improvements, \$15,000; for repair and reconstruction of school buildings damaged and mostly destroyed by reason of fire on December 19, 1921, \$60,000, to be immediately available; in all, \$100,000."

Mr. CRAMTON. Mr. Chairman, I reserve a point of order on the amendment. I have not had time to read it all, but as I understand it, the amendment provides for construction of new buildings and for the opening of a school that is now closed.

Mr. RAKER. The school is practically nonactive at the present time. The \$60,000 for building is for the reconstruction of a building which was mostly destroyed by fire, but the foundation is there. This is on the point of order, I take it, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. CRAMTON. Your item is for repair and reconstruction of school building damaged and mostly destroyed by fire, \$60,000?

Mr. RAKER. Yes.

Mr. CRAMTON. I withdraw any point of order, Mr. Chairman.

Mr. RAKER. Mr. Chairman, the facts of this particular case are that the school was in operation for a number of years, well located so far as providing for the Indian children was concerned. Within 1 mile to 20 miles the parents of practically all these children live. The school owned a very splendid tract of land upon which were 28 buildings still remaining. They obtained through the Forest Service 320 acres of timberland adjoining for experimental purposes. Six years ago we obtained sufficient appropriation to procure a farm upon which we raised hay and stock that provided meat and milk for the school. We had it so that it was really giving an education to these young men and women attending the school. At the time designated the fire came and destroyed the one building used for administrative purposes and a dormitory for the boys at one end and the girls at the other end and a kitchen. The other buildings are good. I was there last year and again this year. The children were moved

from that school, some to Salem, Oreg., many miles away in another State, some went to the northern part of the State of California, a number were sent to the Carson Indian School in Nevada, a long distance away, and some were sent clear to the Sherman School in the southern part of the State of California. A number, some 25 or 30, got nothing. I have been to the Sherman Institute in southern California, and to the others. Much has been said about their being splendid schools, but I want to say to you from personal observation that so far as the Indian schools are concerned that where a boy or girl can go to school at home where he can at intervals be in the environment of his own people, inhabitants who are building up the country, it is much better for that boy or girl than it is to go to a large institution all fenced in and 90 per cent artificial; because when that pupil leaves the institution after having been there 5 to 10 years he becomes isolated from his own people and does not take up the ways of the white man as he ought to. You get the schools close to the homes and you get results.

Now, this school can be replaced and put in shape for the amount designated. Everybody in the community asks for it to be done because of the good it will do.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. I have sought every means I could to get this school reopened. Had I been on the ground at the time it never would have been closed, because they saved practically all of the dishes and bedding, and the boys had a building where they could have stayed and the girls another building on the other side, and within two months they could have got the necessary appropriation to reconstruct the building at the cost price, because they were ready to do it and are willing to do it now. I hope the chairman will, out of the goodness of his great heart, not object to letting this school be reopened. It will help the Indians out; it will not help me. It makes no difference who represents the school. If we could have had the chairman of the subcommittee and the chairman of the Indian Affairs Committee visit that country, I know they would have unanimously voted for this item. We have done our best to get the members of that committee to go to that territory, where they could see the national park and the school. We have offered to pay the expenses, railroad and otherwise. It is some distance from the railroad. We had one gentleman come there last summer, and it did a world of good. I hope the chairman of the subcommittee will allow the item to go in.

Mr. CRAMTON. Will the gentleman yield?

Mr. RAKER. Certainly.

Mr. CRAMTON. Is this amendment for the Greenville Indian School or for the national park?

Mr. RAKER. For the Greenville Indian School. We have not come to the park yet.

Mr. CRAMTON. Mr. Chairman, there are two reasons why we ought not to do this, and the gentleman knows that my opposition is based upon the necessities of the case. In the first place, it is not desirable to open the school anyway. We prefer a few large boarding rather than more small schools, where the overhead is greater and the facilities less. The second reason is that when I was in Arizona a year ago I visited various schools, and I met an inspector who was familiar with the conditions in the various towns where there were Indian schools. I was very much pleased at Riverside, where through the liberality of the community they gave every facility of the high school to any Indian pupil and in the junior college without tuition, no matter from what State they came. The same is true in Phoenix, where they are received in the churches and in the homes of the town in a way that I thought was splendid. In response to my inquiry I learned that the only community in this section of several States where there was an Indian school where the Indian pupils were discriminated against by the people of the town was in Greenville, Calif., where they were welcome neither in the homes nor in the churches or the local schools, and I am against opening or reopening an Indian school in any town anywhere where that situation prevails.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, in reply I say to the gentleman that that inspector was mistaken. There is no finer com-

munity anywhere, there are no finer schools nor better churches, nor more well attended by the higher class of citizens, nor any who recognize the rights of the Indians any better than do the people of Greenville and the people in that valley and Plumas County. The gentleman must remember that it is not very long since when the last trouble occurred with the Indians in that part of the State, and it took some time for the people to get over the feeling engendered by that trouble. A short distance from there, over on Honey Lake, the Pearson family were killed, and it took a long time for those people to get over that. They feel that these Indian children ought to go to school by themselves and not be mixed up with the whites, and with a good deal of that I am in hearty accord. We get better results now from Indian pupils who are segregated in that way than by mixing them up with the whites, boys and girls together.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The Clerk read as follows:

Sequoyah Orphan Training School, near Tablequah, Okla.: For the orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, \$59,850; for repairs and improvements, \$6,500.

Mr. HASTINGS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS: Page 44, line 20, after the semicolon, insert "for the enlargement of the school building so as to provide four additional classrooms, not to exceed \$20,000."

Mr. HASTINGS. Mr. Chairman, this is an orphan training school and is the only school of that kind in the United States. It is the only school where orphan children alone may attend. It is true that orphan children can go to other schools, but none but orphans can go to this school. Recently, within the last two or three years, there have been some additional dormitories erected, paid for out of the Cherokee funds. All of the Cherokee funds have been donated for the upbuilding of this school. They now find it in a crowded condition, where they do not have sufficient classrooms for the pupils. If this amendment is adopted, the idea is to raise the building up so that four new classrooms may be added, and thereby provide sufficient facilities to take care of the present attendance at the school. The school has a capacity of 250 children, and there were 246 in attendance there the other day when my colleague from Oklahoma [Mr. CARTER] and myself visited the school. I hope the amendment will be adopted.

Mr. CARTER. Mr. Chairman, I had an opportunity to visit the school within the last month, and I find this situation: The dormitory capacity had been increased until the school is able to accommodate from 250 to 275 children. On the day that I was there they had an attendance of 246 children and only 4 ordinary-sized classrooms, which made over 60 children to a classroom. The school is in a crowded condition. When I came back I called the attention of the committee to this, but not having the data at hand at that time as to what the cost might be, the chairman of the subcommittee, the gentleman from Michigan [Mr. CRAMTON] very kindly suggested that the matter go over and that we offer the amendment on the floor of the House. It is a very well-conducted school, serving a very splendid purpose, because no one but orphan children attend. In my opinion the additional classrooms can be used to very good advantage. As I saw the school, it was entirely too crowded for efficient instruction to be given.

I really think the amendment ought to be incorporated in the bill. It is an increase of \$20,000, which will be used for raising the school building, in order that four more classrooms may be added above those now being used. As far as I am concerned, I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

The Clerk read as follows:

Chemawa, Salem, Oreg.: For 850 Indian pupils, including native Indian pupils brought from Alaska, including not to exceed \$1,000 for printing and issuing school paper, \$191,250; for pay of superintendent, drayage, and general repairs and improvements, \$17,000: *Provided*, That except upon the individual order of the Secretary of the Interior, no part of this appropriation shall be used for the support or education at said school of any native pupil brought from Alaska after January 1, 1925.

Mr. HAWLEY. Mr. Chairman, I move to strike out the last word for the purpose of asking a question concerning the proviso at the top of page 45. This school at Chemawa has an attendance now of 900 students, of which a large number come from Alaska. For 40 years the children of the Indians of Alaska have been admitted to this institution, and in the last 8 years some 821 different Indian children have come from Alaska to the school. They have proven to be very good students and have taken unusual advantage of the opportunities afforded. The people of the vicinity, the various civic organizations of Salem, which is within 5 miles of the school, are very much interested in these children, because of the excellence of their work and of their character. They have made inquiry as to why the committee proposes now to exclude these children from the school, to which they have been admitted for some 40 years. It has been stated that it is the intention of the committee to provide for the education of Alaskan children in Alaska without bringing them away from their native place. What is the purpose of the committee in making this change?

Mr. CRAMTON. Mr. Chairman, the school at Chemawa is one of our best Indian schools, I am advised, although I have not visited it. There is a demand for facilities there greater than we can accommodate. There are Indian children from the United States that could be placed there to the full capacity of the school without the Alaska children. The information that has come to the committee for the last three or four years with reference to the Alaska children is that bringing them from Alaska down to Oregon to educate them, with the idea of returning them to Alaska, is not practical. The results do not work out well. We simply unfit them for return to their people in Alaska. To a considerable degree the industrial training in Oregon which they receive does not fit them for practical work in Alaska. The health conditions surrounding them are not the best because of this change.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. HAWLEY. Of the 821 children within the last eight years that have come to the Chemawa school, only 16 have been sent to institutions for tubercular affliction, and the health of the children is good. Less than 2 per cent of the children have been afflicted with tuberculosis, and they probably had it before they came here.

Mr. CRAMTON. My impression is that the gentleman from Idaho, a member of the subcommittee [Mr. FRENCH], who has given some attention to this, visited the sanatorium at Fort Lapwai, Idaho, and found quite a lot of Alaska children there who had tuberculosis.

Mr. HAWLEY. There were only 16—

Mr. CRAMTON. Perhaps they had it when they came. But, however that may be, the committee has felt the other reasons sufficient—the need for the school to take care of the Indian children for which it had been built, the effect of the industrial training in Oregon on Alaska children, their whole education unfitting rather than fitting them for their duties among the people of Alaska. And the idea of the committee was that it would be better to provide educational facilities for them in Alaska. We made some start last year. There is probably \$50,000 or over in the bill this year for construction and extension of industrial schools to take care of those.

But the limitation put in last year was not a very radical one. We did not desire to disturb those children now in the school and until the 1st of next January they have been permitted to come in. The committee desires that no more should come from Alaska, and gradually that the Alaska attendance at this school shall disappear, and in the meantime we are striving to provide ample facilities for their education in Alaska.

Mr. HAWLEY. Will the gentleman answer this question: These children have proven such excellent students; that is, they have taken advantage of the opportunities they have and we are interested in them by reason of the fact of their proximity and in the welfare of all such children in Alaska. Is it the intention of the committee to provide in Alaska—

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAWLEY. I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HAWLEY. Is it the intention of the committee to provide for education of the children in Alaska and to have suitable facilities as will approximate those at Chemawa?

Mr. CRAMTON. It is the desire of the committee, and the program that committee has entered upon is, to provide facilities for them in Alaska to best fit them for their future in Alaska. They may not be identical with those at Chemawa.

Mr. HAWLEY. Will it be as efficient?

Mr. CRAMTON. They will be more efficient for the benefit of their future work in Alaska. There is one thing we are doing now. We have a ship—the *Boxer*—that makes the different ports clear up to the Arctic Circle. Now, one use that is made of it is as a floating school in the winter. We have a limited number of boys who are being trained in the care and repair of gasoline engines that are so largely used. These boys are trained in the making of repairs and it is a very valuable training that is given them on the *Boxer*, and they have a more practical training than can be given elsewhere.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAWLEY. I withdraw the pro forma amendment.

The Clerk read as follows:

The Secretary of the Interior is authorized to withdraw from the Treasury of the United States, in his discretion, the sum of \$35,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the act of January 14, 1889, and to expend the same for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota.

Mr. SMITH. Mr. Chairman, I move to strike out the last word for the purpose of asking a question with reference to the item on page 32 providing for maintenance and operation of the Fort Hall irrigation system, Idaho, \$15,000. The appropriation for the current fiscal year is \$49,000, reimbursable. I received a telegram this morning from the Pocatello Water Users' Association, which is as follows:

POCATELLO, IDAHO, December 5, 1924.

Hon. ADDISON T. SMITH,

House of Representatives, Washington, D. C.

Reports indicate appropriation maintenance Fort Hall project, \$15,000. Total maintenance cost approximately \$1.50 per acre. Indian area not paying on acreage basis. Thirty-two thousand acres require maintenance appropriation \$48,000. Water users protest against paying maintenance cost for Indian lands.

POCATELLO WATER USERS' ASSOCIATION.

I wish to have the chairman explain the committee's reason for reducing the appropriation from \$49,000 to \$15,000. Is the department planning some new policy that is being made applicable to Indian irrigation projects?

Mr. CRAMTON. In my preliminary statement on Wednesday, page 84 of the RECORD, I go into that situation somewhat. The gentleman from Idaho is correct. It is the policy of the committee, taking in a number of reservations—Yuma, Fort Hall, Flathead, Blackfeet, Crow, Confederated Utes, and Wind River. With reference to Fort Hall, our best information is that there is Indian owned and not leased 15,000 acres, of which 7,249 acres are cultivated. White owned, 14,760 acres, of which 3,822 acres are cultivated; white leased, 19,446 acres. Total, 52,010 acres. There is a total amount of 34,000 acres white owned and white leased land. The assessment sought to be spread against that 34,000 acres would be \$42,690, but the estimated amount for operation and maintenance is \$40,000.

We did not want the whites to take care of the cost of irrigation for the Indians, and we did not desire the Treasury to take care of the cost of operation and maintenance of irrigation on the white land, and therefore we made the recommendation. From the information we have at hand that the Indians had about one-third of the land properly assessable and should pay about one-third of the cost of operation and maintenance, and taking \$40,000 as the cost, we placed \$15,000 in the bill as being the Indians' share.

Mr. SMITH. But if the Indians do not pay their share of these charges, are any portion of them imposed on the white landowners?

Mr. CRAMTON. That is a matter between the Treasury and the Indians. But there will be \$15,000 appropriated from the Treasury to take care of the third that belongs to the Indians. Now, if the whites will pay \$30,000 or less to take care of their two-thirds, then the department will have enough to operate and maintain the project. The trouble has been that the whites have not been paying their share.

Mr. SMITH. But under the proposed plan of the committee the white landowners would be required to pay operation and maintenance in advance.

Mr. CRAMTON. That is not the plan of the committee. That is the law and the order of the department. The order of the department fixing all of these charges under the act of 1914 provides for the payment in advance.

Mr. SMITH. Is that law being enforced?

Mr. CRAMTON. That is what we are trying to bring about. The order of 1914 fixes the authority of the department. We are trying to make it a little more practical and require that these charges be paid by the whites for the operation and maintenance of the white-owned land. We want them to pay their share, but not to pay the Indians' share.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, \$155,000, to be expended in the discretion of the Secretary of the Interior, and under rules and regulations to be prescribed by him: *Provided*, That this appropriation shall not be subject to the limitation in section 1 of the act of May 25, 1918 (40 Stat. p. 564), limiting the expenditure of money to educate children of less than one-fourth Indian blood.

Mr. HOWARD of Oklahoma. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HOWARD of Oklahoma: Page 47, line 13, strike out "\$155,000" and insert "\$578,000."

Mr. HOWARD of Oklahoma. Mr. Chairman and gentlemen of the committee, one of the most pathetic and yet one of the most ridiculous things that I know of is to see some fellow who has been elevated to some office, either through political preference or otherwise, writing a report about how much good he has done for the Indian, when in most instances the fellow making the report never saw an Indian except the one that stands in front of a cigar store until he received a political preferment, and in most other instances he is only interested in the Indian to the degree that he draws his salary.

This situation, Mr. Chairman, is especially true with respect to the Five Civilized Tribes in the State of Oklahoma, and I want to say without fear of contradiction that in the manner of the education of the Indian there is no greater waste, considering the amount involved, than there is in the expenditure of the moneys boasted of by the Indian Bureau in referring to what it does for the Indians of the Five Civilized Tribes.

In the first place, I want to say, Mr. Chairman and gentlemen of the committee, that I have lived among the Indians for 33 years, and I challenge any man to present to me a case of an Indian in the Five Civilized Tribes who has been under the surveillance and supervision of the Indian Bureau who is to-day any further advanced toward caring for himself than he was 33 years ago. On the other hand, where we have turned these Indians loose, where we have given them an opportunity to get out from under these self-styled "guardian angels," in just so many cases, as in an equal number of instances with respect to the white men of Oklahoma, those Indians have made good and have become good citizens.

I want to charge, Mr. Chairman, that the Indian Bureau, in so far as the Five Civilized Tribes are concerned, does not in anywise do what they claim to the Congress of the United States that they do in the matter of educating the Indians; and I will guarantee to this Congress that if you will give to the State of Oklahoma one-half of the money you spend on Indians in the Five Civilized Tribes for educational purposes we will place them in better schools than the Government furnishes and educate them among our white people, where they should be and where within seven years they must be educated.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes.

Mr. CRAMTON. If I understand the gentleman's proposition, it is interesting; but does he say that if we will give him half—

Mr. HOWARD of Oklahoma. Half of the \$680,000.

Mr. CRAMTON. About \$77,000?

Mr. HOWARD of Oklahoma. It is \$680,000.

Mr. CRAMTON. That is something else.

Mr. HOWARD of Oklahoma. I will get to that.

The Interior Department does not do for the Five Civilized Tribes what they claim they do. In that connection I want to call your attention to the table on page 83 of the CONGRESSIONAL RECORD of December 3, 1924. This report sets out that in the Five Civilized Tribes of Oklahoma there are 26,979 children of school age, and then it sets out—

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HOWARD of Oklahoma. Mr. Chairman, I ask unanimous consent to proceed for five more minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent for five additional minutes. Is there objection?

There was no objection.

Mr. HOWARD of Oklahoma. And then it sets out, Mr. Chairman, that there are in these Indian schools 19,605 students.

Now, Mr. Chairman, I hold in my hand here a copy of the report made by the United States Commissioner of Education in 1922, in which it is shown that instead of 19,605 of these children being in these schools supported by the Government, through tribal and governmental funds, there were, as a matter of fact, 3,584 of those Indians.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes.

Mr. HASTINGS. I heard the gentleman make some statement about the number of unrestricted Indians in remarks that he made before to-day. I think the misapprehension as to the figures arises from this fact, that the members of the Five Civilized Tribes were made citizens of the United States under the act of March 3, 1901. I think the Commissioner of Education or the Census Bureau does not make a report of all of those of Indian blood, whereas the Indian office or those who are charged with disbursing this money for the benefit of Indian schools take a census of all of the Indians of every degree of blood, and therefore the figures representing nineteen thousand-odd children are approximately correct, whereas the Commissioner of Education or the Census Bureau in taking the census does not take note of the great many Indian children who are not carried on the rolls, who are not restricted as of one-half Indian blood. I think that is the proper explanation.

Mr. HOWARD of Oklahoma. Yes; that is the camouflage of the Indian Bureau, when, as a matter of fact, the condition does not exist. But I refer to the fact that according to the report there are only 3,584 Indian children in the Indian schools maintained by the Government in the Five Civilized Tribes from governmental and tribal funds.

Now, Mr. Chairman, I find that the Government spent in 1922, \$680,000 for educating 3,584 of these Indian children, while the State of Oklahoma, according to the report of the Commissioner of Indian Affairs, is educating 21,245 of these Indian children, and they very liberally, so they think, appropriate to us \$150,000.

Now, Mr. Chairman, the table to which I refer says there is a total capacity in all schools for 18,095 children provided by the Government of the United States in Oklahoma. I want to ask where those schools are. I want to ask data from the Commissioner of Indian Affairs as to how many of those children are in their schools.

The facts are, Mr. Chairman and gentlemen of this committee, that those children are being educated, 21,000 of them, by the State of Oklahoma; but in order to camouflage this Congress and secure \$680,000, most of which they are wasting in the State of Oklahoma, they carry in the table presented to you a statement which would lead you to believe that they are educating 18,095 of these Indian children.

Now, Mr. Chairman, to get back to my amendment. I am only asking for justice for the State of Oklahoma. According to the report of the Commissioner of Education we in Oklahoma could have collected in school taxes \$1,283,000 last year had it not been for the agreement which the Government is carrying out with the Indians, and properly so, because they made that agreement. But I maintain, Mr. Chairman, that the Government of the United States should not impose upon the citizenship of the State of Oklahoma by asking them to educate 21,245 children while they, in carrying out their agreement with the Indians, keep that land off the tax rolls.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HOWARD of Oklahoma. Mr. Chairman, I ask for three more minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for three additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD of Oklahoma. Now, Mr. Chairman, I have figured this thing from the basis of the \$680,000 spent by the Government, and deducting that from the \$1,283,000 which the State could collect on these lands for school purposes, and it does seem to me but fair and it does seem to me but justice that this Congress should make up the difference, because the white children of Oklahoma, through this condition, are being kept out of school from one to three months each year and the taxpayers of Oklahoma are compelled to levy from \$400,000 to

\$650,000 extra in State funds upon themselves in order to carry on these schools and educate these children which the Indian Bureau tries to camouflage you into believing it is educating. It does seem to me Congress should make up the difference to us, and that difference is \$578,000, including the \$155,000 carried in this bill. I ask this on the recommendation of the Bureau of Education of the Interior Department, because in its report it said:

The school system should be organized so that the Indian youth shall ultimately be educated in the public schools of the State. To this end the responsibility of the Federal Government will gradually decrease, and that of the State will increase, until the schools are entirely controlled and maintained by the State. In view of the fact that the trust periods on Indian lands are to expire within 5 to 10 years, unless extended by Congress, it is important that the State shall make all possible effort to improve the rural schools of the Indian districts, incorporating in the curriculum those phases of education which are vitally related to home life, so that the Federal Government may resign its responsibility in favor of the State with the assurance that satisfactory standards of education will be maintained.

The Federal Government should provide liberal financial aid for the education of Indian children in the public schools during the trust period.

Mr. BLANTON. Will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes.

Mr. BLANTON. The gentleman has in his district in Oklahoma a magnificent State university?

Mr. HOWARD of Oklahoma. Not in my district.

Mr. BLANTON. At Norman. May I ask the gentleman whether any of these Indian children are attending that university?

Mr. HOWARD of Oklahoma. There are Indian children in every school we have in Oklahoma.

Mr. BLANTON. I mean in the university.

Mr. HOWARD of Oklahoma. Yes.

Mr. BLANTON. Does the State of Oklahoma receive any remuneration for those children?

Mr. HOWARD of Oklahoma. No, sir; except the \$155,000 included in this bill for the education of 21,245 children. Gentlemen, I ask you to do justice to the State of Oklahoma.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. CRAMTON. Mr. Chairman, it is not for me to argue with the gentleman from Oklahoma, as well informed as is the gentleman who has just spoken as to what is or is not in Oklahoma, but I do think that a gentleman as eminent as the gentleman from Oklahoma, before he would twice in one day challenge the accuracy, and not only the accuracy but the good faith of the Indian Bureau, would want to be sure that he was doing justice to those officials.

Now, he has claimed that they are misleading you about the number of children cared for in Indian Government schools in Oklahoma. Let me read to you from the hearings with respect to this particular item, page 936, and available to the gentleman from Oklahoma. It is a statement from Mr. Meritt on this item of \$145,000:

The total number of eligible children in the Five Civilized Tribes is 26,979, not including freedmen. Of these there were enrolled in the public schools about 16,563; in Government schools, about 2,097; in contract and noncontract schools, 945, making a total enrollment of 19,605.

Nobody but the gentleman from Oklahoma has any idea that the Indian Service has been trying to claim there were 19,000 children in Government schools in Oklahoma.

But the amendment proposed, what is it? The gentleman wants a total of some \$680,000 to be turned over to the State of Oklahoma to educate a total of 19,605, \$30 per capita for all of them, in addition to what we are providing in our other schools. I do not understand that his amendment would provide schooling for one additional child in Oklahoma, but it would transfer \$500,000 more from the Treasury to the coffers of Oklahoma than does this bill.

Mr. HOWARD of Oklahoma. Will the gentleman yield?

Mr. CRAMTON. Yes.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HOWARD of Oklahoma. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan have two more minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Michigan [Mr. CRAMTON] have two additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD of Oklahoma. Mr. Chairman, I reiterate what I said relative to the table on page 84, which states that the total in school is 19,605 and the total capacity of all schools is 18,095, evidently leading anyone who had no opportunity to attend the hearings of this committee, as was the case with most of us, because you will remember they were ready to report when we arrived in Washington, to the conclusion that they had facilities for 18,095 children out there, when they have not facilities for one-third of them.

Mr. CRAMTON. Mr. Chairman, this table has nothing to do with the question of whether they are in Government schools or State schools. It is a table of the number of Indian children who are in school. In another paragraph there is an appropriation of \$350,000 to pay tuition in the public schools, and I think everyone agrees who is familiar with the question that these Indian children are better off, where it is possible to do so, if they are in the public schools with the white children, and so we are constantly making that appropriation larger.

This table has nothing to do with the question of what kind of school they are in. It is the number that are in school, and if there is an error in it, I think gentlemen might better blame me than the Indian Service, because the table is a condensation which I prepared of much more elaborate tables which appear in the Indian Office reports, and the information I have just referred to absolutely acquits the Indian Bureau of any misrepresentation which the gentleman has twice to-day charged them with.

Mr. HOWARD of Oklahoma. Yes; and he is going to charge them with some more before he gets through and prove it, too.

Mr. CRAMTON. The gentleman wants to be just, I know. The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. HOWARD of Oklahoma) there were—ayes 10, noes 26.

So the amendment was rejected.

The Clerk read as follows:

For necessary expenses in connection with oil and gas production on the Osage Reservation, including salaries of employees, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, \$58,400, to be paid from the funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

Mr. CRAMTON. Mr. Chairman, the gentleman from New York [Mr. SNYDER], chairman of the Committee on Indian Affairs, has an amendment to this paragraph. He is on his way over now, and I ask unanimous consent that this paragraph may be passed until the gentleman from New York arrives.

The CHAIRMAN (Mr. SNELL). The gentleman from Michigan asks unanimous consent to pass this paragraph temporarily. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For expenses incurred in connection with visits to Washington, D. C., by the Osage Tribal Council and other members of said tribe, when duly authorized or approved by the Secretary of the Interior, \$10,000, to be paid from the funds held by the United States in trust for the Osage Tribe.

Mr. CRAMTON. Mr. Chairman, I ask now that we return to the item on page 58 concerning the Osage Indians.

Mr. SNYDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SNYDER: Page 58, after line 18, insert a new paragraph, as follows:

"For the erection of a monument under the supervision of the Secretary of the Interior on the Osage Indian Reservation in Pawhuska, Okla., as a memorial to Indians of that tribe who gave their lives for their country in the recent war with Germany, \$25,000, payable from the tribal funds of the Osage Indians."

Mr. SNYDER. Mr. Chairman, I do not think it is necessary to say anything with reference to this proposed amendment. Recently I was in Pawhuska, on Indian matters, and the council of the Osage Tribe were in session at that time. They requested me to present this amendment. I have found in my experience with the Osages that they are a very patriotic people. They were among the first to send their sons to war. They have ample funds; in fact, more money than they know what to do with, and they want this appropriation in order to

set up in their own country a monument to commemorate the activities of their own people in the Great War.

Mr. CARTER. And it is to be paid out of their own funds?

Mr. SNYDER. Yes; from their own funds. It is not a charge on the Government at all. I would be very pleased, of course, to see the amendment adopted.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. SNYDER. Yes.

Mr. LaGUARDIA. Does the gentleman provide in his amendment that the design shall be by an American artist?

Mr. SNYDER. The amendment does not call for that; but it would be rather unreasonable to expect the Indians of this country would go outside of the country to get an artist to design their own monument.

Mr. LaGUARDIA. That happened very recently in this country, and that is why I inquired.

Mr. HOWARD of Oklahoma. Mr. Chairman, I represent as a Member of Congress practically all of the Osages. I want to say I am pleased at the cooperation of the chairman of the Committee on Indian Affairs with the Osage Indians in introducing this amendment providing for the building of this monument.

I dare say there was no race of people whose sons made a better record on the battle field than did the sons of the Osage Tribe. I think it is fitting that the Osages themselves want to erect this monument to the memory of those of their tribe who fought for their country in the Great War.

In passing I also want to call attention to the fact that while it will not be commemorated by the building of this monument, yet the great Osage people with their great wealth exceeded in many instances, and always equaled, in the exemplification of the spirit of patriotism, any other citizenship, and the remarkable manner in which they subscribed their funds for the benefit of the Government at the time of war was a precedent and an act of which the Osages and the Nation should certainly be proud.

Mr. SNYDER. Will the gentleman from Oklahoma permit an interruption?

Mr. HOWARD of Oklahoma. Yes.

Mr. SNYDER. I know the gentleman will be pleased to have inserted in his remarks the fact there are about 2,200 Osages still on the rolls, in various ways, and there were 144 Osage Indians who served in the late war, and the per capita subscription of the Osage Indians to Liberty bonds was \$1,500.

Mr. HOWARD of Oklahoma. I thank the gentleman, and I want to say that one of the prettiest pictures I saw during the war was of one of these old Osage women, past 80 years of age, holding a great barbecue and feast at her home for the purpose of raising funds to help with the war work.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SNYDER].

The amendment was agreed to.

The Clerk read as follows:

PATENT OFFICE

SALARIES

For the Commissioner of Patents and other personal services in the District of Columbia in accordance with "The classification act of 1923," \$2,370,000: *Provided*, That of the amount herein appropriated not to exceed \$25,000 may be used for special and temporary services of typists certified by the Civil Service Commission, who may be employed in such numbers, at \$4 per diem, as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records.

Mr. LaGUARDIA. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Michigan, the chairman of the committee, a question. I am pleased to state that there has been a marked improvement in the conduct of the Patent Office within the last two or three years. What I would like to ask the gentleman is, Has there been any provision made for making the responsible officers of the various divisions and the technical positions more attractive? I understand that young men get positions, remain there a few years, and, with nothing to look forward to, they leave the Government service for higher compensation in private offices. The result is that, instead of building up a permanent skillful and specialized personnel, the Patent Office becomes a mere training school. It seems to me that while the clerical force has been provided for under the present appropriation, it might be well if some thought was given to the reorganization of the office in regard to heads of divisions and technical men with a view of making the places more attractive and providing proper promotions and better remuneration, so as to build up a skilled and trained personnel in that office. Surely in the

greatest Patent Office in the world we should provide properly for the men who have such responsible work.

Mr. CRAMTON. I will say that within the last two years there has been an increase of about 50 per cent in the cost of administration in the Patent Office, very largely due to the salary increase act passed by Congress and approved February 8, 1922. At that time the cost was about one and a half million dollars, and at the present time it is almost two and a half million dollars. That is almost entirely due to the increase of salaries; not entirely, because there has been some increase in the personnel. So that at the present time we have probably gone about as far as we should in that direction. The gentleman will recognize that in any technical branch, and especially one like the Patent Office, where the Patent Office is the court that finally passes on the issuance of patents, bright and competent men who go into the service and become technical experts, by reason of the very training that they secure there, will attract salaries outside higher than the Government can pay, and therefore they will accept the outside position, taking them from the Government to some extent.

Mr. LAGUARDIA. Some of these men who become specialists I believe receive salaries of four or five thousand dollars, and I can understand how they would receive calls from outside with higher salaries. But if we could increase the pay of these men we would build up a permanent force that would expedite business and make it worth while for them to remain, as they do in the Army.

Mr. CRAMTON. The difference between this and the Army is that, generally speaking, the experience gained in the Army, outside of the Engineer Corps, is not a training that attracts offers of increased pay from outside. Then there are some other nice things about the Army; they are trying to retire them before they reach the age of 50, so that nobody is going to leave the Army.

But that is apart from the subject. We can not expect to put the Government salaries so high that no one will receive offers of a larger salary from outside.

Mr. SNELL. If the gentleman will yield, I would like to ask him how is the current work in the Patent Office?

Mr. CRAMTON. The current work is greatly improved, and we are told that with the temporary roll carried in the bill by the 1st of July, 1926, the work of the office will be current. That is to say, every application that comes in will be taken up for consideration with reasonable promptness and made practically current. There will still be quite a large number of applications pending, but the work will be current at that time.

Mr. WATSON. Will the gentleman yield?

Mr. CRAMTON. Certainly.

Mr. WATSON. This is the only office where they have made sufficient money to pay the expenses. Since the increase of the salaries, has it developed a situation where they are making more money or are they making less?

Mr. CRAMTON. Less; but still the situation is this: A more rapid disposition of the cases has increased the receipts, but the increase in receipts is not as great as the increase of expenditures. For the last fiscal year there is about \$214,000 deficit. That is not a very fair comparison, because a lot of business disposed of came in prior years. On the whole they have a surplus of about \$8,000,000 to their credit.

Mr. WATSON. As I recall, in some years past they have returned something like \$300,000.

Mr. CRAMTON. Yes; and as soon as we get caught up again and running on an even keel they will be able to take care of their expenses again.

The Clerk read as follows:

For temporary additional employees in the Patent Office at rates of compensation in accordance with "the classification act of 1923," such employees to serve without annual or sick leave allowance and to be appointed under the provisions of the civil service laws, rules, and regulations for the purpose of making current the work of the Patent Office, \$191,000.

Mr. HUDSON. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the subcommittee whether the language in the paragraph is new in respect to the employment of temporary help, whether it has been carried before, where the annual and the sick leave allowance is not granted?

Mr. CRAMTON. That has generally been the policy with these temporary rolls. For instance, take a technical roll of this kind. It was a two-year program that we entered upon. It would take some little time to get the appointees selected through their proper examinations. Then it would take sev-

eral months to get them organized so as to produce, and it does not seem necessary or desirable that those who are on the temporary roll should be given these very generous sick leaves and annual leaves that occur generally in the civil service. In these temporary rolls we have generally exempted that. We did it in the Pension Office on a similar temporary roll a year ago.

Mr. HUDSON. I can understand the justification for taking out the annual leave, but it seems to me that if these temporary employees who are to be there for at least two years—

Mr. CRAMTON. Not two years, but it was a total of two years.

Mr. HUDSON. Then a year at least. I think that those who are serving under the civil-service rules and who are appointed under civil-service rules ought not to be penalized because the hand of misfortune brings sickness upon them. I think they ought to have 30 days' sick leave. I ask again if this is the usual practice?

Mr. CRAMTON. It is; and I think this sick-leave business has been abused. When putting on an emergency force like that it is not contemplated to have it disorganized by people taking the maximum sick leave.

Mr. HUDSON. Is it the thought of the chairman that this ought to be continued down through the general classification act? I refer to the cutting out of the sick leave.

Mr. CRAMTON. I do not know that I need pass upon that. That is out of my jurisdiction. I do think that there is a tremendous drain on the efficiency of the departments through the practice of a good many employees taking the maximum sick leave. I understand the departments have been trying to restrict that somewhat.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last two words. I notice that the report shows that the temporary typists are being paid \$4 a day and are required to turn out 10,000 words, for which the Government receives \$10. Is that to be fixed by law, or is that under the discretion of the commissioner or some head of a department?

Mr. CRAMTON. That is a special work. It does not apply to the stenographers who are engaged in the work of the Patent Office generally, but it has reference to stenographers who are engaged to do a certain work in making copies of records that are desired by the public.

Mr. LAGUARDIA. What I want to get at is this: Congress is not fixing that rate of \$4 a day, is it? That is entirely under the discretion of the department, is it not?

Mr. CRAMTON. That is a limitation carried in the appropriation bill. I think there is no other legislation with reference to it.

Mr. LAGUARDIA. It seems to me to be rather low pay if they are required to turn out that much work, but from what I read on page 241 of the hearings I thought that that was discretionary with the department and that it was not up to us to do it.

Mr. CRAMTON. Four dollars is the maximum.

The Clerk read as follows:

Minidoka project, Idaho: For operation and maintenance, continuation of construction, and incidental operations, \$797,000.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. I have not had time to go into this matter particularly, but the appropriation now under consideration is the Minidoka project in Idaho, which carries an appropriation of \$797,000. Is that to be reimbursed under the new system of 5 per cent on the gross proceeds of the project?

Mr. CRAMTON. I have been forced to make up my mind about some things in connection with the reclamation projects in this bill and to answer some questions in respect to them. I do not like to answer any more questions than I have to, because they are hard to answer. What is the status as to the Minidoka project I do not know. Whether the Minidoka project is one of those that is to take 138 years in repaying its money to the Government I do not know. I do know that there has been some change in the law, but how far-reaching it is I do not know as to the projects under construction.

Mr. RAKER. What I am trying to get at is this: Of course, as to all of the old projects, the money will be collected as the law stands.

Mr. CRAMTON. I should supplement that further in respect to the Minidoka project, to be perfectly frank. There are several hundred thousand dollars in this. My impression is that all of that for new construction is for the American Falls Reservoir, which is being constructed, so far as private lands are concerned, under certain contracts which require payment with interest by the private districts affected.

Mr. RAKER. The principal thought that was in my mind is that under the bill that finally passed, but that has not yet been signed unless it was signed to-day, the payment according to production would not apply to these projects unless the Secretary of the Interior pushed, as it were, the present occupants out of the project, and I am wondering whether or not the gentleman had accumulated any information with respect to that, whether it is the intention of the department to so arrange the matter that payments shall come under that contract that may run for from 50 to 150 or 200 years.

Mr. CRAMTON. As to the projects heretofore under construction, I have not gone into the question, because it was not particularly pertinent as to our work. As to the new projects authorized, of course new legislation, however far-reaching it is, will apply.

Mr. RAKER. The gentleman does not quite get my point. Under the old projects they will not come under the new law, when signed by the President, unless the Secretary so presents the matter as to make it so that the present occupants feel as if they had to come under the project, and I am wondering if anything of that kind has been presented to the committee.

Mr. CRAMTON. The committee has had no discussion as to the effect of the new legislation upon projects heretofore under construction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. I ask for an additional minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. The gentleman from Michigan, chairman of the subcommittee, and myself, I think, have been practically in accord on that proposition, and not having an opportunity to hear the testimony I wondered whether or not anything had been presented in committee at this session?

Mr. CRAMTON. We discussed with the Director of Reclamation the status of the law in reference to new construction being undertaken—for instance, Kittitas and Salt Lake and, to some extent, Spanish Springs and Owyhee. We discussed that because it was before us, and, as I said before in my opening speech, the Director of Reclamation feels that the legislation to which the gentleman from California referred is incomplete, and would not desire to go ahead with construction on these new projects until the law was supplemented by other features which he thinks are important.

The CHAIRMAN. The time of the gentleman has expired, and without objection the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Sun River project, Montana: For operation and maintenance, continuation of construction, and incidental operations, \$611,000: *Provided*, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law, providing for payment by the district or districts as hereinafter provided. The Secretary of the Interior shall by public notice announce the date when water is available under the project, and the amount of the construction costs charged against each district shall be payable in annual installments, the first installment to be 5 per cent of the total charge and be due and payable on the 1st day of December of the third year following the date of said public notice, the remainder of the construction charge, with interest on deferred amounts from date of said public notice at 4 per cent per annum, to be amortized by payment on each December 1 thereafter of 5 per cent of said remainder for 40 years, or until the obligation is paid in full: *Provided further*, That no part of the sum provided for herein shall be expended for construction on account of any lands in private ownership until an appropriate repayment contract in accordance with the terms of this act and in form approved by the Secretary of the Interior shall have been properly executed by a district organized under State law, embracing the lands in public or private ownership irrigable under the project, and the execution thereof shall have been confirmed by a decree of a court of competent jurisdiction, which contract, among other things, shall contain an appraisal approved by the Secretary of the Interior, showing the present actual bona fide value of all such irrigable lands fixed without reference to the proposed construction, and shall provide that until one-half the construction charges against said lands shall have been fully paid no sale of any such lands shall be valid unless and until the purchase price involved in such sale is approved by the Secretary of the Interior, and shall also provide that upon proof of fraudulent representation as to the true consideration involved in any such sale the Secretary of the Interior is authorized to cancel the water right attaching to the land involved in such fraudulent sale; and all public lands irrigable under the project shall be

entered subject to the conditions of this section, which shall be applied thereto: *Provided further*, That no part of the sum hereby appropriated shall be expended for construction until a contract or contracts shall have been executed between the United States and the State of Montana, whereby the State shall assume the duty and responsibility of promoting the development and settlement of the project after completion, including the subdivision of lands held in private ownership by any individual in excess of 160 irrigable acres, the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior: *Provided further*, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands.

Mr. RAKER. Mr. Chairman, I reserve a point of order on all of the matter on page 69 after the word "provided" in line 9. I do that for the purpose of asking a few questions; that is all.

Mr. CRAMTON. I would be glad to have the point of order presented.

Mr. RAKER. As a matter of fact, it is new legislation.

Mr. CRAMTON. It is not legislation. These are limitations, but it does provide some certainty as to the term on this particular project which does not apply on any other project.

Mr. RAKER. It is too late and the wrong place to get any results now, I appreciate that. Really, we ought to have had a hearing and a presentation before the Committee on Arid Lands.

Mr. CRAMTON. I hope there will yet be such a presentation and hearing.

Mr. RAKER. But this will bring one theory for one project, and another project will have another contract. Of course, there is one thing valuable in this; they are getting new work. They will not be in position to say the original notice was \$50 and now it is going to cost \$75, because, you understand, under this provision you have to enter into a contract and pay in addition what is required. That is, of course, valuable, and it is going to work tolerably well; but it is going to have this effect, that all the other projects—involving, I imagine, something like \$50,000,000—are going to say, "You ought to have done this for us, but you did not do it." I hope it will not occur that way. But there ought to have been a general law for all of these projects covering new works and new development. But I am not going to insist on the point of order. I am going to withdraw it with the idea it is going to have some beneficial effect. It is unfortunate that the legislation is not on the statute book to cover all of these other projects, so as to make these projects workable and make these men pay, to the end that we may get more money, have more and better development of our arid lands, which tend to the development of our country. I withdraw the point of order.

The CHAIRMAN. The reservation of the point of order is withdrawn.

Mr. LEAVITT. Mr. Chairman, I wish, first of all, to express my appreciation of this item being in the bill. For a period of 15 or 16 years an effort has been made to secure the construction of this storage dam. For the first time the Sun River project in Montana will be assured an adequate supply of water. I hope, however, that some of the terms set forth here will have further consideration, in view of the fact that this project is already partly constructed and partly settled. A very large part of the area has been under cultivation for a long period of years, and with the terms of payment previously made it has been rather difficult to meet the contract. Now, I have in mind, with several other provisions, this one which says that none of the money shall be expended until the State of Montana has made certain agreements.

I believe, since some of the people there have been operating for a period of 15 or 20 years, that this is a rather drastic provision. I will agree with the committee that in all new construction definite provision for repayment must be made. My position on that is plain as a member of the Reclamation Committee. But I believe the conditions imposed should be such that costs may be reasonably met, because that is one thing necessary to insure the payment of the money. I would ask the reconsideration of this provision in conference.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. RAKER. The gentleman is a member of the Committee on Irrigation and Reclamation of Arid Lands. This contains a special new provision. Does not the gentleman feel that we ought to have a policy that will apply to all projects, rather than to have a special matter like this on each individual project?

Mr. LEAVITT. The gentleman is also a member of the committee, and he knows that we had before us at the last session the report of the fact finding commission and that we attempted to write such a measure as that. We were able at the close of Congress only to get as far as the provisions that were enacted by the House before we adjourned and by the Senate on day before yesterday and which I believe would have been signed by the President before he went West if time had been allowed. I believe it will be signed by him. That takes care to a certain extent of the recommendation of the fact finding committee to cover the old projects. I am in favor of considering further the questions contained in this fact-finding report and also of carrying out the request made by the President in his message that we do enact into law the recommendations of the fact finding commission. This will put reclamation on a sound business basis by doing two things—by assuring, first, the success of the settlers on reclamation projects and, second, the return of the funds invested by the Government to the Treasury of the United States.

Mr. RAKER. The gentleman would agree with me in this, would he not, that what we want is a workable reclamation act that will develop the country and allow us to get an appropriation for that purpose and at the same time get a good citizenship and get our money paid back, as it ought to be?

Mr. LEAVITT. Yes. I will agree to that with this statement: That we should have in the reclamation law provisions as to the future which will make it possible for the settlers to receive such terms as can be complied with.

Mr. RAKER. We will never get a payment unless we make it mandatory and require the fellow to pay or forfeit his property if he does not pay.

Mr. LEAVITT. In defense of many of the people of the West I will have to disagree to that. Many of them have paid up to date under the present law.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. GREEN. Mr. Chairman, I ask unanimous consent that the gentleman may have two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN. Is this project a Government project?

Mr. LEAVITT. Yes. It was on Government land, and it was originated by the Government something like 20 years ago. It is simply a matter of good faith to some extent to the people who have been waiting for many years and who have not had adequate supplies of water in dry years.

Mr. GREEN. Do you expect this will finish the project?

Mr. LEAVITT. No. This will not complete the project. This is the beginning of a storage dam which has heretofore been denied to the settlers although it was tentatively promised to them many years ago.

Mr. GREEN. What new land will this open to the prospective settler?

Mr. LEAVITT. About 40,000 acres of land. It will carry with it provisions that will enable them to pay and which will require them to pay.

Mr. GREEN. The expectation is to carry out that line of action?

Mr. LEAVITT. Yes. No further steps will be taken toward new construction without carrying provisions of that kind.

Mr. CRAMTON. Mr. Chairman, in response to the suggestion of the gentleman from Montana [Mr. LEAVITT] the committee would have been very glad if conditions had been such that we could have had more fully the benefit of the advice of Members like the gentleman from Montana who are well versed in these matters and have a breadth of view. There is nothing more important to the success of new projects than the methods of settlement and financing the settlers. It is properly a matter of State cooperation rather than of Federal activity. As to the language that is in the bill, I do not want to hold the Director of Reclamation responsible for it, but I think I am justified in saying that the language that we have in the bill has his complete and thorough indorsement.

Mr. LEAVITT. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LEAVITT. I talked with the director about this, and he was rather surprised to notice that no construction should start until that provision should have been met.

Mr. CRAMTON. I do not know about that, but I discussed it with him. The situation on that particular project is, of course, a little more involved. As I understand it, the construction now under way will provide additional water facilities for about 40,000 acres of land, and new and complete facilities for 40,000 acres more. That involves 80,000 acres, which is as much as the San Carlos project in Arizona involves. To what extent the contracts may be held to apply to the 40,000 acres partially supplied with water and partially developed is a problem. I will say to the gentleman that it will be the desire of the committee, of course, as we go on taking the successive steps in this bill, to proceed in the light of the best information we have, considering all the matters that the gentleman has suggested.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. RAKER. Mr. Chairman, I can hardly express my views in language that I would really like to use regarding some of the provisions of this particular item. We had about a month's work on the committee. We had only three witnesses, and those were members of the fact finding commission. We were unable to get outsiders or others to testify. While there is no opposition or obstruction or intention to obstruct legislation, there are many provisions here that I understand the fact finding commission has not suggested. Some of them are almost revolutionary. I will read one of them:

That until one-half of the construction charges against that land shall have been fully paid, no sale of any such land shall be valid unless and until the purchase price involved in such sale is approved by the Secretary of the Interior.

Now, in America one of the things we have stood for for years is the right to dispose of property; yet here you are building up a system by which a man can not sell or develop unless one-half of the whole construction charge has been paid or unless he goes down to the Secretary of the Interior and gets his consent. I am just calling the attention of the chairman of the committee to the unfortunate situation we are in.

Mr. CRAMTON. But the gentleman from California, who is so well informed on reclamation matters, knows, first, that the bulk of the lands to be developed hereafter are privately owned lands?

Mr. RAKER. I thoroughly agree with the gentleman on that.

Mr. CRAMTON. Second, the minute you start a project those lands take on a speculative value and, third, unless we restrict it the private owner, through the force of human nature, is going to sell that land at the highest speculative price he can secure. The result, therefore, is that the benefit of the liberal provisions the Government makes in developing these projects will go to the land speculator and none of it to the settler, so that the settlers on these projects during the years are groaning, not under obligations they owe the Government, but under obligations they owe locally or obligations secured at higher rates of interest, either to buy that land at speculative values or in financing its development.

The CHAIRMAN. The time of the gentleman from California has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Lower Yellowstone project, Montana-North Dakota: For operation and maintenance, continuation of construction, and incidental operations, \$180,000.

Mr. WATSON. I would like to call the chairman's attention to the fact that the words "continuation of construction, and incidental operations," are rather indefinite. They appear on page 71, line 20. Is the appropriation for all of the Yellowstone project or does it simply mean a part of it, and does operation and maintenance refer to a section of the Yellowstone project or to all of it?

Mr. CRAMTON. The item is for the lower Yellowstone project, but that, of course, does not mean all of the water rights that would be available on the Yellowstone River. There has been some question about those in the park or adjacent thereto, but, of course, this item has nothing to do with any except where the construction is already authorized.

Mr. WATSON. What construction does the \$180,000 involve?

Mr. CRAMTON. Well, \$100,000 of the \$180,000 is for drainage construction. The hearings show that:

About 5,000 acres have a water table within 4 feet of the surface and it is estimated that the amount requested will provide drainage for 4,000 acres of this land.

Five thousand dollars is to be expended on the distribution system, on some minor lateral extensions, additional turnouts, and so forth, and for operation and maintenance, \$75,000. So the gentleman will see there is no extension of the project involved.

Mr. WATSON. Does this include the building of roads or bridges?

Mr. CRAMTON. No; not generally speaking, but I would not say that under operation and maintenance there might not be some small item of that kind. But generally speaking that is not involved in this.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

North Platte project, Nebraska-Wyoming: For operation and maintenance, continuation of construction, and incidental operations, \$510,000: *Provided*, That any unexpended balance of any appropriation available for the construction of the Guernsey Reservoir and incidental operations for the fiscal year 1925 shall remain available for such purposes during the fiscal year 1926: *Provided further*, That all net revenues from any power plant connected with this project shall be applied to the repayment of the construction costs incurred by the Government on this project until such obligations are fully repaid.

Mr. SIMMONS. Mr. Chairman, I move to strike out the last word. The Budget recommended for the North Platte project, as I understand it, \$520,000, while this bill calls for \$510,000. I am advised that the additional \$10,000 which is not included in this bill is for putting in effect the classification of lands on the North Platte project under the provisions of the law that was attached to the deficiency bill. Doctor Mead has advised me that that \$10,000 is necessary, and I am wondering whether the chairman of the subcommittee will not consent to having that changed without the necessity of offering a motion to that effect, in order that we can give that project the money it needs. Doctor Mead says it is necessary and the Budget recommended it. I dislike to ask the committee to vote on it if the chairman is willing it should be done. The testimony regarding it, if the chairman pleases, is to be found on page 433; that is, the testimony regarding this item of \$10,000.

Mr. CRAMTON. I will say, Mr. Chairman, that the item of \$10,000, as I recall it—I have not been able to locate it yet in the hearings—was for a reclassification of lands involved in this project that are not now under operation.

Mr. SIMMONS. No; I think the chairman misunderstands that. It is for a reclassification of all of the lands that are now in operation under the project in order to comply with the repayment provisions in the law that went to the President the first of this week.

Mr. CRAMTON. I see Mr. Walter's statement to the effect that \$10,000 is to provide for the reclassification of about 113,000 acres of irrigable land as recommended by the committee of special advisers on reclamation. However, the legislation is very incomplete as yet. Under the present legislation, as I understand it, even if you get that land reclassified you do not know what you are going to do next about it, and the desire of the committee and the policy we have followed in this bill was to hold down just to the minimum extensions, and so forth, and new ventures, until this matter of legislation is straightened out by the proper legislative committee.

Mr. SIMMONS. If the chairman pleases, this is not an extension and not a new venture.

Mr. CRAMTON. I understand that; but it is the expenditure of \$10,000 that some time ought to be paid back by those people, and we hope it will be. But I do not understand that the program of legislation is thoroughly completed in order to be sure it is worth while to spend that \$10,000. And, further, if I may answer the gentleman, as I understand it, there is going to be a year or two yet in which they can reclassify, and then we can determine about spending the \$10,000, after we know what kind of a law we are going to have. I think in the interest of the gentleman's constituents we ought not to authorize this further burden upon them until that legislation becomes more tangible and more definite than it is now.

Mr. SIMMONS. If the gentleman please, the Director of Reclamation ought to know what is necessary, and he has advised me that this \$10,000 is needed.

Mr. CRAMTON. I have gotten far enough along with Doctor Mead to think that if you gentlemen from the West would

accept his judgment throughout and take the position on all the big things that you take on this little matter of \$10,000, I would be willing for you to have the \$10,000, and the Treasury would be several million dollars ahead. The gentleman agrees with the director just on this item, but when we come to something else he may not agree with him so thoroughly. The pro forma amendment was withdrawn.

Mr. RAKER. Mr. Chairman, I move to strike out the proviso beginning on page 72, at line 4, and ending with line 8; and, pending that, I would like to ask the chairman a question. Does this proviso authorize the collection of the amount due in excess—

The CHAIRMAN. Will the gentleman pardon the Chair? Did the gentleman move to strike out the proviso?

Mr. RAKER. In the interest of time, Mr. Chairman, I move to strike out the last word in order to ask the chairman of the subcommittee whether this proviso authorizes the Reclamation Service to take the net revenues and pay off this debt without its being deposited in the Treasury and appropriated?

Mr. CRAMTON. Yes; I think that would be the result.

Mr. RAKER. Now, that is the only case we have remaining in all these governmental activities where we can take the revenue and handle it without its being deposited in the Treasury and then authorized by Congress.

Mr. CRAMTON. The entire reclamation fund, in so far as it derives any revenues from return of construction costs or from operation and maintenance, is handled in just that same way.

Mr. RAKER. It does not have to be deposited in the Treasury and then appropriated?

Mr. CRAMTON. In order to spend it again you would have to come to Congress, but we let them put the money in the Treasury without any let or hindrance. The only trouble is to get them to do it.

Here is what the proviso means: We are going to build a power plant, and that is going to reduce the cost of operation and maintenance, and there may be a profit in the power they may sell to private individuals. In one project in the Southwest we did that, and they are getting enough profit off of the operation of the power plant to pretty much take care of operation and maintenance, but they are only paying us back in dribbles in 20 years, without interest during all this time. We now propose that when we put up a power plant and they can sell the power and make some profit, as well as reduce the cost of operation and maintenance on the power which they use, any net profit shall immediately be applied to repay what they owe the Government.

Mr. RAKER. That sounds proper, with that explanation.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Newlands project, Nevada: For operation and maintenance, continuation of construction, and incidental operations, \$167,000, together with the unexpended balance of the appropriation for this project for the fiscal year 1925, of which amount \$245,000 shall be used for drainage purposes, but only after execution by the Truckee-Carson Irrigation district of an appropriate reimbursement contract satisfactory in form to the Secretary of the Interior, and confirmation of such contract by decree of a court of competent jurisdiction and final decision on all appeals from such decree.

Mr. RICHARDS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Nevada offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RICHARDS: Page 72, between lines 19 and 20, insert:

"Spanish Springs irrigation project, Nevada: For continued investigations, acquisition of rights of way and reservoir sites, commencement of construction, if found feasible, and incidental operations, \$500,000."

Mr. RICHARDS. Mr. Chairman and gentlemen of the committee, I have offered the amendment because it is in keeping with the recommendation of the fact finding commission. It has been recommended by the Secretary of the Interior. It has been estimated by the Bureau of the Budget and allowed at this amount.

Nothing, I might say before this committee at this time, I hope, shall be construed as antagonistic toward any person or any committee or any project, but this matter is of considerable and vital interest to the people of my State, and my sole desire is to lay before the committee what I think to be facts, constituting an unjustifiable discrimination, so far as leaving out this project is concerned.

The President of the United States, in his message delivered to Congress on December 3, 1924, gave his approval of such

amendment. The President, in his message, under the title of reclamation, gave his approval in the following language:

Our country has a well-defined policy of reclamation established under statutory authority. * * * Legislation is pending based on the report of the fact finding commission for the proper relief of those needing extension of time in which to meet their payments on irrigated land and for additional amendments.

I take that to mean just this kind of an amendment—one that is necessary and essential in order to properly fulfill the obligations of this Government.

The President, by such unequivocal statement, gave his earnest approval to the recommendations of the Special Advisory Committee on Reclamation which was appointed by Secretary of the Interior Work last year and which began its sessions at the Interior Department building in Washington on October 15, 1923, and filed its report with the Department of the Interior on the 10th day of April, 1924.

This committee is commonly known and described as the fact finding commission.

On the 21st day of April, 1924, the President submitted to Congress the report of this special advisory committee or fact finding commission.

The special advisory committee consisted of Thomas E. Campbell, former Governor of Arizona, chairman; Dr. John A. Widtsoe, former president of the State University and Agricultural College of Utah, secretary; James R. Garfield, of Ohio, former Secretary of the Interior; Elwood Mead, now Commissioner of Reclamation and at that time professor of rural institutions in the University of California, and chairman California State Land Board; Oscar Bradfute, of Ohio, president of the American Farm Bureau Federation; and Clyde C. Dawson, of Colorado.

The report of the special advisory committee was unanimous.

The special advisory committee in dealing with the Spanish Springs project treats it as a supplemental project to the Newlands project. It is discussed in recommendations under the general discussion of the Newlands project, Nevada, and is found on pages 182 and 183 of the report. The committee under such recommendation has this to say in part:

The Newlands project was among those first selected and authorized after the passage of the reclamation law.

The engineering features were carefully considered, the water supply based upon the use of storage in Lake Tahoe, and the agricultural study of soils made in accordance with then known scientific methods. It seemed to offer climatically, agriculturally, and physically an opportunity for a successful project.

The original possible area was thought to be about 450,000 acres; that was early reduced to 397,000 acres and later to 206,000 and finally to 73,000, when it was found, as a result of years of legal controversy, that the expected use of the water of Lake Tahoe was not available.

The unexpected failure of storage is the underlying cause of the difficulties from which the project has suffered. Unusual drainage and seepage condition and the existence of 20,000 acres held by a few owners with a prior water right, which became impotent because of the failure of the expected storage, added to the difficulties of the project.

The committee is satisfied that the proper course to pursue is the construction of the Spanish Springs Reservoir; otherwise the interests of both the settlers and the Government will be seriously jeopardized.

We recommend—

1. That the construction of the Spanish Springs extension be authorized, subject to Resolution No. 8.

The CHAIRMAN. The time of the gentleman from Nevada has expired.

Mr. RICHARDS. Mr. Chairman, I ask unanimous consent to proceed for 15 minutes. This is of vital interest to my people.

Mr. CRAMTON. Can not the gentleman make it five minutes?

Mr. RICHARDS. No; I will make it 10 minutes.

The CHAIRMAN. The gentleman from Nevada asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. RICHARDS. Following this report, and in accordance with the recommendations therein contained, Secretary of the Interior Work, in preparing the estimates for his department for the fiscal year ending June 30, 1925, requested an appropriation of \$800,000 for the continued investigation, commencement of construction, and incidental operations of the Spanish Springs project. The Bureau of the Budget approved such estimate and requested and included the item of \$800,000 for

the Spanish Springs project in the Budget. Later, reduced to \$200,000, such appropriation was not agreed to by the House.

When the bill reached the Senate an amendment was offered to the bill by Senator PITTMAN, of Nevada, carrying an appropriation of \$800,000 for the Spanish Springs project. The amendment was unanimously adopted by the Senate. It then went into conference. It was one of the few Senate amendments that the conferees of the House refused to agree to.

In the face of the fact that it was one of only two projects recommended by the special advisory committee, the Secretary of the Interior, and estimated for by the Bureau of the Budget. To substantiate this, I read from the hearings of the second deficiency appropriation bill, 1924, page 459, under the heading—

PROJECTS RECOMMENDED BY FACT FINDING COMMITTEE FOR IMMEDIATE APPROPRIATION

Doctor MEAD. The question was asked whether there had been other recommendations beside the North Platte and the Spanish Springs, and I said, "Yes; but they were subject to investigation."

I would like to insert this morning, so that it would be perfectly clear, exactly the statement of the recommendations.

Doctor MEAD (reading):

"As to the proposed new projects—Owyhee, Vale, Salt Lake Basin, and Kittitas—the committee has not sufficient information upon which to make specific recommendations."

Mr. CRAMTON. So that it remains that this North Platte addition and the Spanish Springs Reservoir as an extension of the Newlands project are the only items that your service or the Interior Department are as yet prepared to urge for immediate appropriation without further investigation?

Doctor MEAD. That which I have read represents the attitude of the advisory board.

The CHAIRMAN. You are going to quote the Secretary now, are you, Doctor?

Doctor MEAD. Yes.

The CHAIRMAN. Is that in a communication to somebody?

Doctor MEAD. I am going to read from a letter of the Secretary to General Lord; a letter dated May 16.

The CHAIRMAN. Do you think you had better read the whole letter or just part of it?

Doctor MEAD. It will not take long; I will read the whole letter.

WASHINGTON, May 16, 1924.

Brig. Gen. H. M. LORD,

Director of the Bureau of the Budget,
Washington, D. C.

MY DEAR GENERAL: Your letter of April 30 was duly received, stating that the President finds it inconsistent with his financial policy to approve the estimates for the Owyhee, Vale, Salt Lake Basin, and Kittitas proposals that were recently submitted as a part of a supplemental budget for reclamation work.

At the subsequent hearing I understand you reiterated the foregoing and it was understood that there would be submitted a reduced supplemental estimate covering the following:

North Platte project, commencement of Guernsey reservoir, etc., \$800,000; Spanish Springs project, \$200,000; investigations, \$150,000. Estimates are transmitted herewith accordingly.

If I am correctly advised, the difference between the policies involved in the original supplemental estimates submitted by this department and your direction to eliminate certain proposed projects or units is that the department having, on the advice of the committee of special advisers selected certain projects as apparently feasible, recommended appropriation for completion of investigations and beginning of construction and operation, while your view was that until all investigations were completed no appropriation should be made for construction or operation.

The department already has much data concerning each project or unit described in said estimates and thought that the remaining investigations could be carried on as a preliminary to subsequent construction. The limitations which accompanied each of said estimates were designed to protect the United States by the exaction of appropriate contracts with duly organized districts, and with legal assurances that large landowners would divide their holdings and dispose of them to settlers at reasonable prices.

Under these conditions, and with these safeguards, I felt it proper to make the original recommendations and would be glad to have you give them further consideration, with the foregoing in mind. At the same time, in accordance with your direction, there has been prepared and is herewith submitted new supplemental estimates, confining the appropriations to the amounts fixed by you.

I quote from the report of the advisory committee on reclamation, merely for further information and because germane to the subject under discussion:

"As to the proposed new projects, Owyhee, Vale, Salt Lake Basin, and Kittitas, the committee has not sufficient information upon which to make specific recommendations. Attention is called to the fact that the estimated costs of construction are nearly all in excess of \$120 an acre. The committee is of the opinion, based upon the reports of annual production from lands now under irrigation, that projects requiring such acre cost as above suggested should be constructed only after it is clearly shown that the lands when irrigated can produce annual crop values sufficient to enable the settlers to repay costs from production and within a reasonable time.

"It is understood that the above projects are those which offer the most favorable conditions for present investigation, and hence the committee is of the opinion that the appropriations therefor should be authorized, but with the provision that further investigation should be made of their feasibility, and that, if finally selected, they should be constructed and developed in accordance with the general resolutions of this committee."

Very respectfully,

HUBERT WORK.

Mr. CRAMTON. So that situation boils down to this: That the Secretary of the Interior would have liked to have had appropriations for a number of projects joining with that permission for further investigation, to satisfy himself whether the money ought to be spent or not. That, when it is required that he present only those projects on which the department is prepared to take immediate responsibility of saying whether they are now satisfied that this money should be spent for these purposes, the only items that the department is prepared at this time to recommend are the North Platte and the Newlands, the items that we have under discussion.

The result of the fight for this amendment in the Senate resulted in the conference report being referred back to the conferees with instructions to insist upon the Spanish Springs amendment. No action had been taken upon the conference report at the time of adjournment of Congress.

On the 2d day of this month the chairman of the Appropriations Committee of the Senate asked unanimous consent to reconsider the order by which the conference report had been referred back to the conferees with instructions to insist upon the Spanish Springs amendment, and Senator PITTMAN, of Nevada, joined in the request. The conference report upon the second deficiency appropriation bill was thereupon adopted by the Senate.

Senator PITTMAN, then on the floor of the Senate, supported the motion of Senator WARREN to recede from the Senate amendment in favor of Spanish Springs, and stated in supporting said motion that he was assured that such amendment would become a part of the Interior Department appropriation bill for the fiscal year ending June 30, 1926. It is entirely left out of the bill.

When the item was under consideration before the subcommittee of the Committee on Appropriations for Interior Department appropriation bill for 1926, Dr. Elwood Mead, Commissioner of Reclamation, appeared before such committee and made the following statements on behalf of the proposed appropriation for the Spanish Springs project:

(Page 443 of the hearings)

SPANISH SPRINGS PROJECT, NEVADA

Mr. CRAMTON. The next item, which is for the Spanish Springs project, Nevada, is as follows: For continued investigations, commencement of construction, if found feasible, and incidental operations, \$500,000.

Doctor MEAD. In connection with that, I offer the following statement:

For continued investigations, commencement of construction, if found feasible, and incidental operations, \$500,000.

The primary purpose of this storage system is to provide an adequate water supply for the irrigation of land under the Truckee Canal, a part of the Newlands project, amounting to about 21,000 acres. About 7,000 acres of this have been settled, but the water supply for its irrigators has proven so inadequate that the remainder of the land has been withdrawn from settlement and is now of no value to the project. The Truckee Canal and dam cost \$1,683,816. Its operation for the limited area of land now irrigated is unprofitable. In order to improve the financial situation of the Government by increasing the use of this canal and conserving the flood and waste waters of the Truckee River, a matter of great importance to Nevada because of the State's limited population, it is proposed to build a storage work large enough to hold the dependable flood supply of the stream. Investigations to date indicate that there will be sufficient water to irrigate 39,000 acres of land, now irrigated by the Newlands project. The greater part of this would be within the original boundaries of the project, and about 18,000 acres outside those boundaries. An economic survey has been made to determine the suitability of the land for irrigation culture, and I submit a summary of its conclusions.

On page 445 continuing, Doctor Mead further said:

The investigations have been pretty well completed on this project. The situation is this: That when the original Newlands project was carried out a canal and a dam from the Truckee River were built at an expense of \$1,683,000. This was done under the belief that a dependable water supply could be obtained by the regulation of Lake Tahoe. Subsequently, litigation with water-power interests led to an agreed decision that has made it impossible to regulate the flow of that river. The result is that of the land underneath that canal only 7,000 acres was settled. Then it was discovered that there was not water for this area, and the rest of the land was withdrawn.

So that we have there now an investment of over a million and a half that is unprofitable, the operation expenses are heavy, the income is small, and some of the best land is below it.

Mr. CRAMTON. And now why is it, Doctor, if you have made your investigations, why do you not make a report on this one way or the other; if you have completed your investigation, why do you not either recommend or deny this project?

Doctor MEAD. Well, I do recommend it.

Mr. CRAMTON. What I am asking you now is this: Whether you have decided the questions that are preliminary to the approval of the project; first, do you consider it a feasible project?

Doctor MEAD. Yes.

Mr. CRAMTON. Next, are there any of these conditions that you speak of that can not be surmounted, as to limitation upon the price of the land and the method of settlement, and so forth?

Doctor MEAD. This is one of the places where the greater part of the land is public lands.

On page 462 of the hearings, as follows:

Mr. CRAMTON. It is the duty of the Reclamation Service to investigate and pass upon these projects. You are the technical branch of the Government having to do with this, and the present law contemplates that your recommendations will come to Congress. Congress will act, first, in approving the project, and, second, in appropriating the money to build it. What is the recommendation of your office with reference to the Spanish Springs Reservoir?

Doctor MEAD. I recommend that it be built, and, coupled with that recommendation, that there be a change in the settlement law.

Now, mind you, in the face of these facts, when the second deficiency bill received consideration originally—I do not know what the ultimate allowances were, but originally there was \$1,250,000 for Owyhee, Vale \$250,000, Salt Lake Basin one million and a half, and Kittitas one million and a half—\$4,500,000 was provided for in that bill for these four reclamation projects that were not ready for recommendation according to the advisory committee.

Mr. LEATHERWOOD. Will the gentleman yield? I know he does not want to mislead.

Mr. RICHARDS. I do not.

Mr. LEATHERWOOD. There was only \$375,000 carried in the deficiency bill for the Salt Lake Basin.

Mr. RICHARDS. I said I did not know what the ultimate allowances carried in the bill were.

Mr. LEATHERWOOD. That whole amount was not appropriated.

Mr. RICHARDS. I said I did not know the ultimate figures appropriated, because I have not been able to get a copy of the deficiency bill as it passed. But be that as it may, here are appropriations made in the deficiency bill for projects that the fact finding committee said they were not ready to recommend, in view of the fact that the only projects that were recommended were the North Platte and the Spanish Springs, and Spanish Springs is now conspicuous by its absence. That seems to me to be an unjust discrimination against the Spanish Springs, and if it is not I do not know what discrimination is.

I do not stand before you advocating the spilling of the Nation's millions in the middle of a Nevada desert just for the sake of spending them. Reclamation will be the one great boon to my section of the world if properly conducted. The ultimate end will be developed country, contented Americans owning their respective homes, and increased taxable wealth added to the Nation and prosperous communities instead of an otherwise barren waste. All this is the desired end, but it must rest on a sound business policy to commence with. All interests must be considered. The ultimate refund of the Government's money, the certainty of the settler to make good, and the general safeguarding of all rights, vested and to become vested, by adequate and proper reclamation laws. This I am convinced to be the sole aim and desire of those now

formulating the future reclamation policy of our Government. I most sincerely hope to see it accomplished.

The CHAIRMAN. The time of the gentleman from Nevada has again expired.

Mr. RICHARDS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, I shall take only a minute or two to make the position of the committee clear. This is a big new project. It involves additional water rights to about 7,000 acres, a complete new development of a large area. I asked Doctor Mead why they came in the Budget in this language in connection with this proposed item:

For continued investigation, commencement of construction, if found feasible, and incidental operations.

I said, after some discussion:

That is to say, that proposes that Congress shall appropriate this money and leave it up to the Reclamation Service whether it will be built or not.

To that Doctor Mead replied as follows:

Doctor MEAD. There are a number of things embraced in the term "feasibility." We will have to determine how this unoccupied land is to be settled; we will have to make an arrangement for the creation of a district and secure a contract with that district before construction begins if the appropriation is made.

Mr. CRAMTON. What I am asking you now is this: Whether you have decided the questions that are preliminary to the approval of the project; first, do you consider it a feasible project?

Doctor MEAD. Yes.

That is on page 446 of the hearings. Then, on page 461 of the hearings—and I think this refers to the report that has been made of an investigation this summer by various local engineers and Federal and business men—I find the following:

Mr. CRAMTON. You have received that report, which I understand is a favorable report; is that right, Doctor?

Doctor MEAD. Yes; it is favorable in this way, that it recommends the project as feasible, provided changes in method of development are adopted. It basis its favorable conclusion on this change in the method of settlement.

Mr. CRAMTON. That is, that you be authorized to select the settlers?

Doctor MEAD. Yes.

Mr. CRAMTON. Without that authority the report would not recommend that the project be attempted. You have no authority under the present law, and this committee, of course, can not give you any authority of that kind.

Doctor MEAD. No.

Again, farther down on the same page, I quote the following:

Mr. CRAMTON. So that is what you mean by feasibility. Your idea would be more clearly met if instead of using the language that is here we should appropriate the money and say, "provided none of this money shall be available until Congress gives the Reclamation Service the authority to select the settlers." That expresses your idea?

Doctor MEAD. Yes.

They have not that authority yet, as I understand it, and Doctor Mead does not recommend commencing the construction of this project. I do not believe we ought to start any other new projects now. We should not have started some of these others, but that was done when we could not help ourselves. We ought not to start any more until the law becomes clear.

Mr. RICHARDS. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. RICHARDS. There are 7,225 actual water applications on the Newlands project not now supplied with water, and is not this the real source from which the Government can keep its contract and is there not an obligation?

Mr. CRAMTON. Let us keep them clear. One is the Newlands project, where they want additional water, and the other is a much larger area to be provided for by this expenditure of \$6,000,000. As to the new area to be provided for, Doctor Mead says that until he has the right to select the settlers instead of being obliged to accept the one who draws a ticket by lot and who goes on there not knowing anything about it, who can not make a success, and who ruins the reputation of reclamation and keeps the money out of the Treasury, we ought to wait. As to those on the Newlands project, I do not know whether what I am about to say will be news from home to my friend or not, but I received this telegram this morning:

FALLON, NEV., December 5, 1924.

Congressman LOUIS CRAMTON,

House of Representatives, Washington, D. C.:

We heartily indorse your stand on Spanish Springs. The settlers on Newlands project are against it to a man. Why waste millions of Government money building new projects when ours is not half settled, besides robbing us of our water supply? Please wire us to-day names of Senators that would help us in this fight against Spanish Springs.

THE LAHONTAN VALLEY WATER USERS' ASSOCIATION,
L. A. BECKSTEAD, Secretary.

As I did not want to be embarrassed by starting any movement in the Senate against this, I simply replied as follows in acknowledgment to that telegram:

DECEMBER 5, 1924.

L. A. BECKSTEAD,

Secretary The Lahontan Valley Water Users' Association,

Fallon, Nev.:

Your wire received. The Senators from Nevada would no doubt be interested in the expression of your views if you have not already advised them.

LOUIS C. CRAMTON.

I probably should have also told them to get in touch with the Member from that State in the House, but they merely asked me about the Senate and I let it go at that.

Mr. RICHARDS. Mr. Chairman, in reply to that I want to state to the gentleman that I have a wire from Truckee-Carson irrigation district requesting that the action of the fact finding committee be put into law as far as it can be.

Mr. CRAMTON. And Doctor Mead, a member of the fact finding committee, says that this project should not be built until this program of legislation is completed and there is some provision for this selection of settlers.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. RICHARDS. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RICHARDS. Mr. Chairman, I would like to ask the gentleman in charge of the bill a question. In so far as the law authorizing action on the part of the Reclamation Bureau to spend money appropriated when it should be spent, I am just wondering whether the annual report of the Secretary of the Interior, on page 7, has any bearing. Referring to the law as embraced in the deficiency bill, the language of the report is as follows:

In a special message to the Sixty-eighth Congress the President urged that the legislation suggested by the special advisory committee be enacted into law, pointing out that a definite policy is imperative. This legislation failed in the last hour of the last session of Congress. In my opinion, the future of Federal reclamation depends on the prompt enactment of this legislation at the coming session. Public approval of this measure since Congress adjourned would justify its prompt passage.

I wonder if it has passed in the desired form?

The CHAIRMAN. The time of the gentleman from Nevada has expired.

Mr. CRAMTON. Mr. Chairman, I merely say that the deficiency bill contained legislation which in the view of the service is incomplete and must be supplemented with reference to settlement.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Williston project (formerly North Dakota pumping project), North Dakota: The Director of Reclamation is authorized, during the fiscal year 1925 or thereafter, to appraise the buildings, machinery, equipment, and all other property of whatever nature or kind appertaining to this project, and to lease or to sell the same at public or private sale, on such terms and in such manner as he may deem for the best interests of the Government, reserving the right to reject any and all bids. The proceeds from such lease or sale shall be paid into the reclamation fund.

Mr. SINCLAIR. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 73, line 2, after the words "North Dakota," strike out all the remainder of the paragraph and insert in lieu thereof the following: "For operation, maintenance, and incidental operations, \$50,000."

Mr. RAKER. Mr. Chairman, a point of order. Would it be too late to reserve a point of order on the original paragraph?

The CHAIRMAN. The Chair thinks it is.

Mr. RAKER. It has not been debated.

The CHAIRMAN. But an amendment has been offered. The Chair will be glad to hear the gentleman, if he can show any authority to the contrary. The Chair's recollection is that a point of order must be reserved to a paragraph before an amendment is offered.

Mr. RAKER. I thought before debate began.

The CHAIRMAN. That is the Chair's recollection. Of course, the point of order would lie to an amendment offered.

Mr. RAKER. I want to make a point of order to the paragraph.

Mr. CRAMTON. Mr. Chairman, I make the point of order it is too late to make a point of order against the language of the bill, as an amendment to the bill has been offered, which is the same as debate.

Mr. RAKER. There has not been any argument. I am trying to get the matter before the Chair, and I think I will make the point of order and present it to the Chair on the ground that it is new legislation on an appropriation bill. It is legislation authorizing and directing the sale of this project.

Mr. CRAMTON. I want to do the thing that is going to be the quickest. The gentleman's point of order would not get anywhere under the language of the Kelp decision referred to yesterday; but there has been an amendment offered to the paragraph here, and I make the point of order it is too late to make a point of order to the paragraph in the bill.

Mr. RAKER. Let the Chair pass on the question. I have not the time, but the point of order the gentleman argued the other day and this are entirely different, because it is legislation authorizing the Director of the Reclamation Service to sell a project. He certainly has power now; but the Chair is ready to rule and I do not care to argue the question.

The CHAIRMAN. Unless the gentleman from California can cite the Chair to some authority to the contrary, the Chair will hold that it is too late to make a point of order against the language in the paragraph after an amendment on the merits has been offered.

Mr. RAKER. Let me do this—well, at present I will withdraw the point of order.

The CHAIRMAN. The gentleman from California withdraws the point of order.

Mr. RAKER. That will relieve the rendering of a decision at this time.

Mr. SINCLAIR. Mr. Chairman, this Williston project is one of the first projects and one of the smallest projects in the whole Reclamation Service. As I understand the report of the fact finding committee, they recommend the discontinuance of this project because it has failed to pay operating expenses in the past three years, using the past three years as a basis. Now, it seems to me that if that is going to be the policy of the Government with reference to irrigation and reclamation questions we are going gradually to close up all of our irrigation projects, because certainly during the last three years a great many projects have not been paying operating expenses. At this time it seems to me that the Committee on Appropriations has chosen a very unfair time in which to put in operation any such policy as that. We all know that farming, the business of agriculture, has been unprofitable along every line, and quite so, of course, in irrigation. Now last year, 1923, on this project there was raised a gross value of farm crops of something like \$24.15 per acre. If that could be continued and the operation costs maintained at a reasonable figure, certainly the project will be put on a paying basis. The facts are, of course, that the operating expenses have been so high that many settlers have been forced off their farms, have lost their farms, but to-day there are something like 144 farms still remaining on this project. There are 7,650 acres capable of irrigation under this project, but because of the deplorable condition of farming and the heavy payments that were to be made much of the land was abandoned until only 1,170 acres were actually under irrigation last year. Under the new and more liberal policy incorporated in the bill passed this week, I have no doubt but that all of the 7,650 acres would be resettled and brought under a high state of irrigated cultivation, and the project thus made a success.

I maintain that it is not right, it is not fair to those farmers, to now dispose of their project and take away the operation of it at a time when they are not financially able to take care of it themselves. There certainly seems to me to be an obligation there that the Government owes to the farmers who are on this project.

Further than that, I believe that the chairman will agree with me when I say that no congressional district in the United States has supplied a greater portion of the irrigation fund than has the third district of North Dakota. The total amount of money coming from the State of North Dakota and used for irrigation purposes amounts to over \$12,000,000. This is the only project wholly within the State, and should receive consideration from this Congress on that account.

Mr. RAKER. Mr. Chairman, will the gentleman yield to a question right there?

Mr. SINCLAIR. I shall be very glad to.

Mr. RAKER. Under the new bill, if it is signed, this project, like the rest, can get on its feet without question, because it will have to pay only 5 per cent of the gross proceeds of production on that project.

Mr. SINCLAIR. I think so. The new bill that has been passed will enable the farmers on this project, like those on all the other projects, to get on their feet, and they can have some hope; they can go on and resettle the vacant lands that are now subject to irrigation and put them under operation.

Mr. RAKER. Have those people had any opportunity to oppose this legislation that is to set them out of their homes?

Mr. SINCLAIR. No. As you know, Members of Congress have not had an opportunity to present any facts with reference to the legislation in this bill at all. It seems to me that before this policy was adopted a full hearing should have been had and the districts affected should have had an opportunity to present their side of the case.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. SINCLAIR. May I have one minute more?

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent for one minute more. Is there objection? There was no objection.

Mr. SINCLAIR. I just want to say in that connection that the failure of the settlers on this project has been for two reasons: First, the payments were too high, more than they could possibly make, and were limited to too short a time; and second, farmers were not instructed with reference to irrigated farming. Now a new policy has been adopted and new ideas have come in, and this land has been found to be the best kind of sugar-beet land. They are now raising sugar beets. A sugar-beet factory has been erected in the city of Williston and the business will be put upon a paying basis.

Mr. RAKER. May it not be a fact that some big sugar company wants to buy out the whole thing and take it from these farmers at a sacrifice?

Mr. SINCLAIR. I would not like to say that. I think the committee has acted in good faith. I would not have in mind such a thing as the gentleman has suggested.

Mr. CRAMTON. You do not have to look so far away as that for an excuse. There has been irrigated in this tract 1,160 acres. None of the construction cost has been paid back. The land is situated where they believe in irrigation only by spells. In a wet year they think irrigation is not necessary. In a dry year they know it is necessary. The appropriation last year was \$105,000. My friend from North Dakota, I think, says there are 240 farmers involved. I do not know how that can be with only 1,160 acres, but I would rather give them \$500 apiece and close down the works than to continue operation as it has been conducted hitherto. Every year it costs, outside of construction costs, more to maintain than is derived from the project. I have the figures here. The average of four years in cost was \$84,000; collections, \$53,000; or a net loss to the Treasury of \$31,000 each year.

Mr. SINCLAIR. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SINCLAIR. The gentleman has included in those costs some betterments.

As a matter of fact, in 1922, despite the adverse conditions, and the inclusion of certain sums for permanent improvements, the project came within \$7,286.21 of paying all expenditures upon it. The actual cost of operating and maintenance of this plant for the past six years is as follows:

1919,	\$44,266;	per irrigable acre,	\$6.61.
1920,	\$50,198;	per irrigable acre,	\$7.50.
1921,	\$39,852;	per irrigable acre,	\$5.96.
1922,	\$29,219;	per irrigable acre,	\$4.27.
1923,	\$28,795;	per irrigable acre,	\$4.31.
1924,	\$28,000;	per irrigable acre,	\$4.19.

These figures prove that the operating costs are being constantly reduced, and I do not think there is a doubt but that if the project can be continued it will soon be on a self-sustaining basis.

Mr. CRAMTON. One year there were some betterments. The truth is that the principal business we are in up there is not to furnish water for this tract of 1,100 acres. We are operating an electric-light plant for the town of Williston, and we are running a coal mine to get enough fuel to run our plant.

Now, the fact finding commission recommended that this project be wiped off of the slate. The language gives authority to sell or to lease, and it seemed to us very desirable that the Treasury be protected against any further losses there.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record by putting certain figures in the Record.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the Record by inserting certain figures. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Under the leave given I present the following:

DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, December 2, 1924.
Memorandum on Williston project

This project was authorized in 1906 to irrigate an area estimated at 10,753 acres.

Area actually irrigated, 1923.....	Acres
Area actually irrigated, 1924.....	1,100

A part of this area is a State experiment farm maintained and operated by North Dakota.

Total construction cost of project.....	\$498,782.87
Total net investment, including operation losses.....	852,703.93
Amount indebtedness written off.....	178,667.20

Disbursement vouchers, calendar year 1923.....	64,312.39
Collection vouchers, calendar year 1923 (mainly power).....	43,002.83

Loss..... 21,309.54

With this data before it the fact finding commission recommended the following:

"No. 55, Williston project: The history and prospects of this project do not justify its further operation by the Bureau of Reclamation. The committee recommends:

"The Williston project be appraised and sold and the losses incurred charged to the reclamation fund."

A report on this project, made by Andrew Weiss in October, 1924, contains the following:

"Continuance of operations by the Reclamation Bureau can only be done with the full knowledge and understanding that losses must be accumulated, because the cost per acre can hardly be expected to come to less amounts than five or six dollars per acre, and, judging from experiences on other projects where farmers are situated much more advantageously than here, such a charge would be prohibitive and could be borne only by those owners of suburban plots or near-by truck farmers who are operating under special conditions and do not follow a general or diversified system of farming.

"RECOMMENDATION

"In view of the foregoing it would seem most desirable to effect a transfer of the works to the city by lease or sale with the proviso attached that service be furnished to those farmers who would choose to pay the cost of production of the necessary current to operate the pumping units needed for such purposes within the capacity of the plant. This plan will remove the present evils incident to mounting indebtedness of the project farmers, whose only hope for meeting them is by further appeals to Congress, and out of which usually develops a low regard for existing laws and obligations assumed thereunder, and a low estimate of, even a hostile attitude toward, the benefits so conferred."

ELWOOD MEAD, Commissioner.

DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, December 4, 1924.

Hon. LOUIS C. CRAMTON,
House of Representatives, United States,
Washington, D. C.

MY DEAR MR. CRAMTON: In the financial statement on the Williston project sent you, we gave the expenses and income as shown by vouchers for a calendar year, which was different from the fiscal year. I am sending you three statements with this letter. One shows the operating expenses and income for three fiscal years, 1922, 1923, and 1924. You will note that for these three years the actual loss has varied from nothing in 1922 to nearly \$50,000 in 1924, in each case with no recognition of losses from depreciation. This also

shows the appropriation made and the unexpended balances for each of these three years.

This table, No. 1, shows nothing but operating expenses and income. I am sending another table, No. 2, giving the voucher transactions for four years, which shows the total expenditures and collections, and that includes expenditures on construction and betterments.

Table 3 is an explanation of the item shown as operation and maintenance deficit written off. We are unable to find any definite agreement as to the writing off, but in the agreement of 1919, the deficit stated is ignored in the new contract, no provision being made for its payment.

Sincerely yours,

ELWOOD MEAD, Commissioner.

Williston project—Operating expenses and income

Item No.	Explanation	Commercial power	Irrigation	Total
1922				
1	Operation and maintenance costs.....	\$41,317.26	\$31,026.41	\$72,343.67
2	Operating income ¹	52,100.33	20,243.34	72,343.67
3	Balance.....	\$10,783.07	10,783.07	
1923				
1	Operation and maintenance costs.....	40,852.85	37,713.66	78,566.51
2	Operating income ¹	49,570.46	10,687.83	60,258.29
3	Balance.....	\$8,717.61	27,025.83	18,308.22
1924				
1	Operation and maintenance costs ¹	46,897.73	23,477.01	70,374.74
2	Operating income ¹	45,127.61	279.73	45,407.34
3	Balance.....	1,770.12	23,197.28	24,967.40

¹ On accrual basis.

² In addition to the operating costs, fiscal year 1924, \$27,984.18 was expended for construction of a land pumping station replacing the pumping barge, to be repaid as supplemental construction.

³ Gain.

APPROPRIATIONS

	1922	1923	1924
Appropriation act.....	\$115,000.00	\$115,000.00	\$100,000.00
Expended and obligated.....	70,070.95	75,879.78	98,906.78
Balance unencumbered.....	44,929.05	39,120.22	1,093.22

Project, Williston, N. Dak.

VOUCHER TRANSACTIONS¹

Fiscal year	Expenditures	Collections	Net investment ²
1924, Williston.....	\$99,116.36	\$45,526.59	\$53,589.77
1923, Williston.....	74,583.87	52,345.33	22,238.54
1922, North Dakota pumping.....	70,462.41	63,176.20	7,286.21
1921, North Dakota pumping.....	104,135.61	53,762.32	50,373.29
Total.....	348,298.25	214,810.44	133,487.81
Average, 4 years.....	87,074.56	53,702.61	33,371.95

¹ As printed in the annual reports.

² This figure is the amount the expenditures are in excess of collections.

NOTE.—These figures include all transactions for the respective fiscal years for irrigation, commercial power, for both construction and operation and maintenance.

DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, December 4, 1924.

MEMORANDUM

The item of \$178,667.20 shown as "Operation and maintenance deficit written off," Williston project, represents accumulated deficit to March 31, 1919, arrived at as follows:

Total operation and maintenance cost to Mar. 31, 1919.....	\$357,925.00
Less incidental operating revenues, such as rentals of buildings, temporary water rentals, etc.....	3,423.00
Net cost.....	354,502.00

Less:	
Operation and maintenance charges collected from water users to Mar. 31, 1919.....	\$10,965.00
Penalties on operation and maintenance charges collected to Mar. 31, 1919.....	46.00
Commercial power revenues to Mar. 31, 1919.....	164,823.80
Total income.....	175,834.80
Balance (deficit).....	178,667.20

By agreement of April 3, 1919, between the United States and the Williston irrigation district it was agreed that this district would pay to the United States the estimated construction cost of the project as announced by public notice of April 27, 1908, for the areas of irrigable lands shown upon farm-unit plats filed as part of such public notice and within the district boundaries, which amount was agreed to be \$290,803.74. The district also agreed to pay the full net cost of operating and maintaining the project from and after the date of execution of said contract of April 3, 1919. However, no provision is made for payment of the accumulated operation and maintenance deficit to that time. This deficit has therefore been considered a loss which eventually will have to be written off.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, this is one of the matters on which we spent some time before the Committee on Irrigation and Reclamation. The fact finding commission claimed there is some \$30,000,000 to be charged off, but it was only estimated. There was nothing concrete before the committee that the Government would lose a dollar. They told the committee that if the legislation were passed for which they asked there would not be a dollar lost to the Government and these people would get an opportunity to pay.

There has hardly been anybody in the West during this year or the last two years that has been able to pay. Practically every project named here is asking an opportunity to have a further extension of time, and the Congress passed a law extending the time of payment. Some of them have had an extension of two years and the balance three years, and most of them are going to get from 50 to 100 years in which to pay back the money they owe the Government. Yet they come in now for the purpose of ruining a reclamation project. I am not discussing the gentlemen on the committee, but I say there seems to be a deliberate purpose to do that, and without giving the committee having charge of this matter an opportunity to go into the facts and to show that the reclamation project is a success. They are coming here now and trying to abandon one project, to sell it or lease it, and make it appear that these reclamation projects are a failure. You have already legislated to give an extension of time on all the other projects, and every project for which you are appropriating money in this bill to-day will have time running from 20 years to 120 years.

You can not dispute the facts, and I think the committee ought not to permit it until we have a full and fair opportunity to investigate all of the facts relating to these projects. They ought not to be permitted to sell or lease one of these reclamation projects when a firm or corporation can come in and buy it for practically nothing and then turn around, improve it, and make half a million dollars out of it. It is not fair and it is not right.

The gentleman representing the district in which this project is located comes here and says these people want it, and it is simply a method by which the rest of the reclamation projects are to be squeezed out of existence, and to show you can not make a success of them. I hope the committee will not permit this to be sold and that it will permit an appropriation to be made so that it can be continued, and then this new legislation, which the fact finding commission says is so good, will go into operation.

Mr. SINCLAIR. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. SINCLAIR. I will say to the gentleman that I am only asking for half as much as was expended on this project a year ago.

Mr. RAKER. Yes; and this would give your people a chance to live.

Mr. SINCLAIR. It would give them a chance to operate for a year, and perhaps find out what can be done.

The CHAIRMAN. The time of the gentleman from California has expired. The question is on the amendment offered by the gentleman from North Dakota [Mr. SINCLAIR].

The question was taken; and on a division (demanded by Mr. RAKER) there were—ayes 11, noes 17.

Mr. RAKER. Mr. Chairman, it is quite late, and I make a point of no quorum.

Mr. CRAMTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SANDERS of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 10020 had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SCHALL, indefinitely, on account of illness.

COMMITTEE VACANCY

Mr. LONGWORTH. Mr. Speaker, a vacancy exists on the Committee on the Merchant Marine and Fisheries due to the death of our former beloved colleague, Mr. Greene of Massachusetts. Mr. LEACH, of Massachusetts, has been elected to fill that vacancy in the House up to the 4th of March next, and I ask unanimous consent that he be assigned to fill the vacancy on the Committee on the Merchant Marine and Fisheries.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p. m.) the House adjourned until to-morrow, Saturday, December 6, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

692. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Mulberry Creek, Lancaster County, Va. (H. Doc. No. 482); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

693. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation, "that the Secretary of War be, and he is hereby, authorized and directed to transfer to the Treasury Department for quarantine purposes that portion of La Costa, Fla., occupied by the Treasury Department as a quarantine station under revocable license from the War Department dated January 27, 1903"; to the Committee on Public Buildings and Grounds.

694. A letter from the Secretary of the Navy, transmitting statement of 36 claims paid during the fiscal year ended June 30, 1924, for damage to or loss of privately owned property, for which damage or loss men in the naval service or Marine Corps have been found to be responsible; to the Committee on Expenditures in the Navy Department.

695. A letter from the chairman of the Federal Trade Commission, transmitting the annual report of the Federal Trade Commission for the fiscal year ended June 30, 1924; to the Committee on Interstate and Foreign Commerce.

696. A letter from the Attorney General, transmitting the annual report of the Department of Justice for the fiscal year ended June 30, 1924; to the Committee on the Judiciary.

697. A letter from the Acting Secretary of Commerce, transmitting statement of disbursements, contingent expenses, Department of Commerce, and general expenses, Bureau of Standards, for the years 1922 to 1925, inclusive, also statement of expenditures under all appropriations for the support of the Bureau of Fisheries during the fiscal year ended June 30, 1924, statement showing typewriters, adding machines, and similar labor-saving devices exchanged by the Department of Commerce during the fiscal year ended June 30, 1924, in part payment for new machines used for the same purpose, and statement showing in detail travel performed by officers and employees of the department who traveled on official business from Washington to points outside of the District of Columbia (other than special agents and other employees who in the discharge of their regular duties are required to travel) during the fiscal year ended June 30, 1924; to the Committee on Expenditures in the Department of Commerce.

698. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of the Rio Grande at El Paso, Tex.; to the Committee on Rivers and Harbors.

699. A letter from the chairman of the Federal Power Commission, transmitting report giving the aggregate number of publications issued by the commission during the fiscal year ended June 30, 1924, also statement in detail of travel taken by officers of the commission to points outside the District of Columbia during the fiscal year ended June 30, 1924, and statement showing typewriters, adding machines, and other similar labor-saving devices purchased during the fiscal year 1924; to the Committee on Appropriations.

700. A letter from the Secretary of War, transmitting annual report of inspection of National Home for Disabled Volunteer

Soldiers for the fiscal year ended June 30, 1924; to the Committee on Military Affairs.

701. A letter from the Secretary of War, transmitting reports of the Chief of Engineers, the Quartermaster General, the Chief Signal Officer, the Superintendent of the United States Military Academy, and the War Department Supply Division of typewriters, adding machines, and similar labor-saving devices exchanged during the fiscal year 1924 as part payment for new labor-saving devices purchased; to the Committee on Appropriations.

702. A letter from the Secretary of War, transmitting report of expenditures on account of appropriations "Contingent expenses, War Department," during the fiscal year ended June 30, 1924; to the Committee on Expenditures in the War Department.

703. A letter from the Secretary of War, transmitting a letter from the Chief of Ordnance, United States Army, with statement of the cost of manufacture for the fiscal year ended June 30, 1924, at the several arsenals and at the Springfield Armory, Springfield, Mass.; to the Committee on Expenditures in the War Department.

704. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, submitting abstracts of proposals received during the fiscal year ended June 30, 1924, for material and labor in connection with works under the Engineer Department; to the Committee on Expenditures in the War Department.

705. A letter from the Secretary of War, transmitting 481 reports of inspections of disbursements and transfers by officers of the Army, received in the office of the Inspector General during the fiscal year ended June 30, 1924; to the Committee on Expenditures in the War Department.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 9715) granting an increase of pension to Louise W. Henderson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9867) granting an increase of pension to Blanche Bunker; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10047) granting an increase of pension to Mary E. Croshier; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10049) granting an increase of pension to Emma L. Jessor; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6845) granting an increase of pension to William Coleman; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. REED of West Virginia: A bill (H. R. 10348) authorizing the Chief of Engineers of the United States Army to accept a certain tract of land from Mrs. Anne Archbold donated to the United States for park purposes; to the Committee on the District of Columbia.

By Mr. KINDRED: A bill (H. R. 10349) to regulate the transmission in interstate commerce and through the mails of explosives of any description, or pistols, revolvers, or firearms of any description; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of West Virginia: A bill (H. R. 10350) to provide for the completing, leasing, and operating the Muscle Shoals nitrate and power plant, and for the construction of such other power or coal reduction plants as may be required to supply the Army and Navy with explosives, to manufacture fertilizers for agricultural purposes, and to distribute electric power and fuel within a reasonable transmission radius of such plants, also to incorporate the Federal Power & Fuel Corporation, and for other purposes; to the Committee on Military Affairs.

By Mr. VESTAL: A bill (H. R. 10351) providing for copyright registration of designs; to the Committee on Patents.

By Mr. WATSON: A bill (H. R. 10352) to extend the time for completing the construction of a bridge across the Delaware River; to the Committee on Interstate and Foreign Commerce.

By Mr. McDUFFIE: A bill (H. R. 10353) to amend section 200 of an act entitled "An act to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk act, as amended, and the vocational rehabilitation act, as amended; to the Committee on World War Veterans' Legislation.

By Mr. LEA of California: A bill (H. R. 10354) placing first, second, and third class postmasters in the competitive classified service; to the Committee on the Civil Service.

By Mr. BRITTEN: A bill (H. R. 10355) amending the act of August 29, 1916, and repealing the third proviso of section 5 of the act approved June 4, 1920, for promoting efficiency in the line of the Navy; to the Committee on Naval Affairs.

By Mr. TAYLOR of West Virginia: A bill (H. R. 10356) granting the consent of Congress to the Huntington & Ohio Bridge Co. to construct, maintain, and operate a highway and street railway bridge across the Ohio River, between the city of Huntington, W. Va., and a point opposite in the State of Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. REECE: A bill (H. R. 10357) to provide for the national defense, for the production and manufacture of fixed nitrogen, commercial fertilizer, and other useful products, and for other purposes; to the Committee on Military Affairs.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 10358) to establish an intelligent guidance of production, of marketing, of distributing, and of selling the basic commodities of American agriculture; to the Committee on Agriculture.

By Mr. NEWTON of Missouri: A bill (H. R. 10359) to release custodianized property; to the Committee on Interstate and Foreign Commerce.

By Mr. CABLE: Joint resolution (H. J. Res. 301) for the creation of a commission to prepare a constitutional amendment providing for the election and terms of President, Vice President, Senators, and Representatives; to the Committee on the Judiciary.

By Mr. WILLIAM E. HULL: Joint resolution (H. J. Res. 302) authorizing the Secretary of War to loan cots, bedding, and camp equipment, not including tentage, for the use of the Modern Woodmen of America Foresters at their national encampment, to be held at Milwaukee, Wis., in June, 1925; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLACK of New York: A bill (H. R. 10360) for the relief of William J. Finnerty; to the Committee on Claims.

Also, a bill (H. R. 10361) for the relief of the New York Canal & Great Lakes Corporation, owners of the steamer *Monroe* and barge 209; to the Committee on Claims.

By Mr. CLARKE of New York: A bill (H. R. 10362) granting permission to D. F. Wilber, a consul general of the United States of America, to accept a decoration from the Government of Italy; to the Committee on Foreign Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 10363) granting an increase of pension to Katherine W. Hauns; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 10364) granting a pension to Mary C. Simmons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10365) granting a pension to Anne Donnelly; to the Committee on Pensions.

Also, a bill (H. R. 10366) granting an increase of pension to Harriet Vosburg; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 10367) for the relief of John W. and Jesse L. Kennedy; to the Committee on Claims.

By Mr. CUMMINGS: A bill (H. R. 10368) granting a pension to Amy Creveling; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 10369) granting an increase of pension to Elizabeth Stedman; to the Committee on Invalid Pensions.

By Mr. FULMER: A bill (H. R. 10370) to authorize the Postmaster General to place on the retirement rolls of the Post Office Department, to receive the benefit of any laws heretofore enacted for the retirement of postal employees, the name of Warren C. Fahey, of Rowesville, Orangeburg County, S. C.; to the Committee on the Civil Service.

Also, a bill (H. R. 10371) to authorize the Postmaster General to place on the retirement rolls of the Post Office Department, to receive the benefit of any laws heretofore enacted for the retirement of postal employees, the name of Jeremiah W.

Wise, of Sandy Run, Calhoun County, S. C.; to the Committee on the Civil Service.

By Mr. HICKEY: A bill (H. R. 10372) granting an increase of pension to Mary E. Sherbondy; to the Committee on Invalid Pensions.

By Mr. HILL of Washington: A bill (H. R. 10373) to reimburse James Doherty; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 10374) granting an increase of pension to Anne L. Fomorin; to the Committee on Invalid Pensions.

By Mr. KINDRED: A bill (H. R. 10375) to reimburse Henry Wolf, an inmate of the United States Veterans' Bureau Rehabilitation Center No. 2, Perry Point, Md., for losses sustained as a result of a fire in the barracks at that station on or about February 21, 1924; to the Committee on Claims.

By Mr. LEAVITT: A bill (H. R. 10376) for the relief of the heirs of Karl T. Larson, deceased; to the Committee on the Public Lands.

By Mr. LOZIER: A bill (H. R. 10377) granting a pension to Sarah E. McClaren; to the Committee on Invalid Pensions.

By Mr. McDUFFIE: A bill (H. R. 10378) for the relief of the owners of the tug *Bascobel*; to the Committee on Claims.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 10379) to provide for the retirement of Clarence W. Sessions, judge of the District Court for the Western District of Michigan; to the Committee on the Judiciary.

Also, a bill (H. R. 10380) granting an increase of pension to Lorinda R. Cooper; to the Committee on Invalid Pensions.

By Mr. MAGEE of New York: A bill (H. R. 10381) granting a pension to Mary E. Garrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10382) granting a pension to Mary C. Risley; to the Committee on Invalid Pensions.

By Mr. MILLIGAN: A bill (H. R. 10383) granting a pension to Elizabeth A. Norman; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 10384) for the relief of Mary Guth; to the Committee on Invalid Pensions.

By Mr. RAGON: A bill (H. R. 10385) for the relief of Margaret Richards; to the Committee on Claims.

By Mr. RATHBONE: A bill (H. R. 10386) to provide for the military status of the world flyers; to the Committee on Military Affairs.

By Mr. SANDERS of Indiana: A bill (H. R. 10387) granting a pension to George W. Wolf; to the Committee on Pensions.

By Mr. SEARS of Florida: A bill (H. R. 10388) granting a pension to Rose Key; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 10389) for the relief of John H. Moore; to the Committee on the Civil Service.

By Mr. STRONG of Pennsylvania: A bill (H. R. 10390) granting an increase of pension to Clara R. Wilson; to the Committee on Pensions.

By Mr. SWOOPE: A bill (H. R. 10391) granting an increase of pension to Amanda Jane Chesnutt; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 10392) granting an increase of pension to Jennie Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10393) granting an increase of pension to Hortense F. Thayer; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 10394) granting a pension to Josephine M. Buck; to the Committee on Pensions.

By Mr. VINCENT of Michigan: A bill (H. R. 10395) granting a pension to Amy Azella Purdy; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 10396) granting an increase of pension to Frank Waters; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 10397) granting a pension to Erwen C. Rose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10398) granting a pension to Josephine E. Grant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10399) granting a pension to Arria S. Sargent; to the Committee on Pensions.

By Mr. WILLIAMSON: A bill (H. R. 10400) for the relief of the Custer Electric Light, Heat & Power Co., of Custer, S. Dak.; to the Committee on Claims.

By Mr. ZIHLMAN: A bill (H. R. 10401) granting a pension to Mary A. E. Howard; to the Committee on Pensions.

Also, a bill (H. R. 10402) granting a pension to Thomas Kirk; to the Committee on Pensions.

Also, a bill (H. R. 10403) granting a pension to James H. Osburn; to the Committee on Pensions.

By Mr. RATHBONE: Joint resolution (H. J. Res. 303) authorizing the award of a medal of honor and \$10,000 to each of the world flyers; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3094. By Mr. CLAGUE: Petition of residents of Sherburn, Minn., opposed to Senate bill 3218; to the Committee on the District of Columbia.

3095. Also, petition of rural mail carriers, Brown County, Minn., in favor of postal wage bill now pending in the Senate; to the Committee on the Post Office and Post Roads.

3096. By Mr. CULLEN: Petition of Board of Aldermen of the City of New York, urging favorable action on postal salary bill (S. 1898); to the Committee on the Post Office and Post Roads.

3097. By Mr. GOLDSBOROUGH: Papers to accompany House bill 10304, granting a pension to Lucy R. Robertson; to the Committee on Invalid Pensions.

3098. By Mr. KIESS: Evidence in support of House bill 3881, granting an honorable discharge to George P. Bailey; to the Committee on Military Affairs.

3099. By Mr. KINDRED: Petition of Board of Aldermen of the City of New York, favoring increase in the salary of postal employees (S. 1898); to the Committee on the Post Office and Post Roads.

3100. By Mr. O'CONNELL of New York: Petition of the Board of Aldermen of the City of New York, favoring the postal salary increase bill (S. 1898); to the Committee on the Post Office and Post Roads.

3101. By Mr. ROUSE: Petition of 300 citizens of Kenton County, Ky., against the passage of a compulsory Sunday observance bill (S. 3218) or the passage of any other religious legislation; to the Committee on the Judiciary.

3102. By Mr. TEMPLE: Testimony in support of House bill 10324, special bill in behalf of Mrs. Laura Crawford, widow of Samuel R. Crawford, Company D, Twenty-second Pennsylvania Cavalry; to the Committee on Invalid Pensions.

3103. By Mr. WEAVER: Petition of Asheville (N. C.) Chamber of Commerce, relating to appropriations for the Bureau of Fisheries; to the Committee on the Merchant Marine and Fisheries.

HOUSE OF REPRESENTATIVES

SATURDAY, December 6, 1924

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, do Thou give us vision that we may arise to the high privileges of our daily tasks. Let each new day challenge us to nobler and better effort. Allow nothing to lessen the dignity and the value of our labors. May we understand that to give happiness and to do good are the chief anchors of the finest character. When perplexity arises, give us patience and help us to put aside all useless and hurtful things. Bless all institutions of our land that succor the unfortunate and that train the youth; and more and more may the dreams of freedom and fraternity be realized. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHRISTMAS RECESS

Mr. LONGWORTH. Mr. Speaker, I offer the following concurrent resolution.

The Clerk read as follows:

House Concurrent Resolution 32

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn Saturday, December 20, 1924, they stand adjourned until 12 o'clock meridian, Monday, December 29, 1924.

Mr. LONGWORTH. Mr. Speaker, a few days ago I offered some observations on the adjournment which seemed to be advisable, and, if there is no objection, I move the adoption of the resolution.

The resolution was agreed to.